

UNIFORM WITH THIS VOLUME
A BIBLIOGRAPHY OF OLIVER CROMWELL
by
Wilbur Cortez Abbott
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The Writings and Speeches
of
OLIVER CROMWELL

VOLUME III

THE PROTECTORATE

1653-1655

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CROMWELL ON THE WHITE HORSE

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The Writings and Speeches of OLIVER CROMWELL

WITH AN INTRODUCTION, NOTES AND AN
ACCOUNT OF HIS LIFE

BY
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VOLUME III

THE PROTECTORATE



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In Memory of
K. S. M.

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PREFACE

The period covered by the following pages extends from the dissolution of the Long Parliament through the formation of the new provisional government, the so-called Nominated or Barebones Parliament, the establishment of the Protectorate and the first phase of its history. That earliest of modern experiments in dictatorship on such a scale has peculiar interest to a generation which, like our own, has seen the revival of such a system over wide areas. The means by which it was established and maintained, its principles and practices in domestic and foreign affairs, and the words and acts of the director of its destinies, make it of interest to the study of that form of government in general and in particular in its application to Great Britain.

If it is natural that such a chronicle should concern itself chiefly with the domestic affairs of a nation thus transformed from Parliamentary monarchy to dictatorship, it is no less concerned with the impact of such a revolutionary system upon the rest of the world. It is significant that the first period of the Protectorate began when England was at war with the United Provinces and ended with a declaration of war against Spain. It involved long, elaborate and tedious negotiations with other European powers; it included the so-called "Protestant Interest" and the "Western Design." It had to do not only with continental European powers but with their extra-European possessions; with the problems of the North Sea, the Baltic and the Mediterranean, treaties with Scandinavian, Iberian and Italian powers, and negotiations with central European states from France to Russia. In it was developed or extended the idea of the "Empire of England," involving the nation in overseas adventures, which, though such adventures were not new in its history, took on new form, strength and direction in this period. It is not necessary to labor parallels with the present to perceive that whether one sees the face of the present in the mirror of the past, or the face of the past in the mirror of the present, however these mirrors may distort the features they reflect, there may be drawn from such a study as this certain comparisons of interest, even of importance, between that age and our own.

It is not, indeed, the purpose of these pages to chronicle the whole of the complex history of the mid-seventeenth century, nor even to form a biography of Oliver Cromwell in the traditional sense. It is their simpler task to record as fully as may be the facts of his life, great and small, to set his words and acts within the framework of his time, to produce what may be called an itinerary or a chronology of his path through life.

A German critic of the first two volumes of this work, after many kind and appreciative words in regard to their historiographical and bibliographical value, has objected that they do not form the life of a "hero." That is as may be, but, as its title bears witness, this work has no claim to such romantic eminence. It is merely a collection of the writings, speeches and conversations of Oliver Cromwell, with a record of as many of his acts, great and small, as can now be recovered from the scrap-heap of historical documents which remains to us.

Though it may be hoped that from this record may be drawn somewhat fuller and more accurate conclusions than it has been possible to make hitherto as to his share in affairs, it cannot be expected that this will produce any very novel, much less revolutionary, conclusions as to the course of events, whatever effect it may have on the conception of Cromwell himself. In the latter respect, indeed, it may even serve in some measure as a disillusionment. So far from painting the portrait of a hero, a nearer view of the subject tends to show what even the life of a hero continually reveals — that it is, in the main, often a seemingly dull round of essential if insignificant detail; that it may, in fact, discover him no less anxious to maintain his own position than to save his country or the world. It is no mere accident that while the great Protector seemed to nineteenth century Liberals, especially Nonconformists, to be the champion of democracy and toleration, twentieth century liberalism has pictured him chiefly as a dictator. From that point of view he has appeared as he did to the astute and experienced representatives of foreign powers at his court. They were little moved by his appeals to or identification with the purposes of the Almighty. These they regarded as at best inspired by what a modern philosopher has called a particular "variety of religious experience," neither better nor worse than that which inspired his opponents. At worst they interpreted these manifestations as merely a part of the political technique by which he achieved and maintained his position as head of the state. Neither then nor now can that be regarded as either a cynical or irreligious point of view. It is merely an effort to avoid the overemphasis of the theological element which obscured, even while it inspired, many of his words and acts. It is, indeed, no doubt impossible to separate the two, but it is equally impossible to interpret the one in terms of the other, and out of that confusion has arisen the difficulty of evaluating a character in which the two were so closely intertwined.

In an endeavor to set down the ascertainable facts of such a career as that of Oliver Cromwell inevitably there must be an infinity of detail, often as wearisome now as it doubtless was to him. Such a task must concern itself with matters often apparently insignificant and unimportant — though it is not always easy, and it is often impossible, to decide what is important and significant and what is not, least of all what apparently trifling incident or document may have had an influence on his

career. Yet even a hero cannot be heroic all the time; he cannot always be saving the world. His life must be full of commonplace passages, dull routine, official duties, formal functions, innumerable documents. It would be easy to omit all these, to believe that the heroic outlines, the great policies were all of his life. It would be easy, but it would not be true. It would not provide a real picture of the life of even the greatest master of men, if for no other reason because the sources of mastery so often lie in the very minutiae, and nowhere more than in the life of Oliver Cromwell.

It is, in fact, amid these very minutiae may be found whatever novel or revolutionary conclusions these pages may contain. There emerges from these details and documents not so much the figure of a Happy Warrior as that of a tired man, old almost before his time; in poor health; not seldom in bad temper; fighting what even he must sometimes have recognized as a losing battle against the spirit of the people he governed; feared, indeed, but certainly not loved or even universally admired; respected but more often hated; a weary Titan struggling toward his goal. In a sense the amount and bitterness of the opposition which he encountered is a measure of his abilities; the difficulties which he met and overcame, a test of his strength; the very hopelessness of his task a tribute to the vigor and determination with which he fought off the inevitable so long as he was alive. But on the other hand, his own words and acts reveal the underlying spirit of those he ruled; their determination never to submit or yield to such a system as he sought to force on them.

For this is not merely the story of a tired, ill and harassed old man, who, if not at the center of the world's affairs, was at least very near that center. It is in some measure at least the story of the people whom he ruled, and herein lies something of the difference between "it" and many if not most of its predecessors. In their pages it seems implicit that if the people of the British Isles did not precisely enjoy being ruled by military dictatorship, they at least accepted it. They were stirred to pride by their new place in the world's affairs; they endured even if they did not welcome the domination of the strong, stern soldier who directed their destinies. It is neither easy nor true to write the history of any administration from the records of its enemies; but in this case it is not necessary to rely on them. It is only necessary to consider Cromwell's own words and actions. No one can read his many letters, orders, warrants, commissions, declarations and proclamations in these years without perceiving that the peace he then established was the peace of the sword, that it was no love or admiration of the Protector, nor even pride in his accomplishment, but fear of the army and its general which maintained this uneasy quiet. It is one thing to look back from a safe distance which reveals only the great outlines of policy and obscures the means by which it was carried out. It is another thing to look at the day by

day record. And it is among the amusing ironies of history to reflect what would have been the immediate reaction of even some of his greatest panegyrists to the facts of his dictatorship had they been fortunate enough to have enjoyed its benefits. Nor does this imply any diminution of his greatness or of his place in history, for in no small measure they are to be reckoned by the strength of the opposition which he met and overcame. Each reader, then, can draw for himself a portrait of the Protector from the materials which he himself left; nor is there any likelihood that those portraits will much resemble each other — they may not even very closely resemble the original — for as each artist who painted him made something different of his features, so each reader will make something different of his character, though character and features remain essentially the same.

There is one thing more which should, perhaps, be noted in connection with the present volume. It is the inclusion of a considerable number of conversations between the Protector and his visitors, notably those with Fifth Monarchists like Rogers, Quakers like Fox, and various ambassadors. These seem to give a better understanding of the kind of man Cromwell was and the opinions which he held than his public speeches or even his private letters. They have, so far as can be ascertained, never been collected in one place before and many of them have never been translated until now. With the many documents drawn for the first time from European archives, his instructions to his agents in Scotland, Ireland, the colonies, and the Continent, it may be hoped to gain a better conception of the Protector, his policy and his character than has been possible hitherto.

There is, finally, another reason for publishing such a collection as this at this time. It is that, the world being what it is, and what it now seems likely that it will be, there is at least a chance that it may never be possible again to collect such a mass of material relating to the history of Oliver Cromwell, and there should be somewhere some such record of the activities of such a man.

It remains only to thank those who have contributed in one way or another to this work — first of all to the Carnegie Foundation of New York, the Committee on Research in the Social Sciences of Harvard University, and the Bureau of International Research of Harvard University and Radcliffe College. Without their assistance the collection and publication of these documents would have been impossible, and to them the author's indebtedness is great and enduring. He must also acknowledge his obligations to Mrs. Catherine D. Crane, whose assistance in the first two volumes and the first half of this volume has been invaluable; to Mrs. Madeleine R. Gleason who has capably carried on the work where Mrs. Crane left off; and to Professor Gaines Post and the Rev. Willard Reed, who furnished translations of many of the Latin documents in these volumes.

The Writings and Speeches
of
OLIVER CROMWELL

CHAPTER I

THE END OF THE COMMONWEALTH

One of the most striking and disturbing features of any such revolutionary act as the dissolving of Parliament by Cromwell is the lack of any immediate and personal effect it has on the life and even the thought of the average citizen. With the dissolution of Parliament and the Council of State on the twentieth of April, 1653, England was left, in effect, without a "government" in the older sense of that word. There was still, it is true, an administrative system. Its officials still functioned; the local authorities performed their duties; there were commissioners in Scotland and Ireland; and in so far as external appearances were concerned, national and local affairs seemed to go on much as before, nor is it probable that the ordinary citizen noticed much if any interruption in his daily life and affairs. But with the disappearance of the Parliament whence their powers were nominally derived, the agencies of administration lost any settled basis for the authority which they wielded. None the less, whatever the defects of its title, whatever its legal status or the lack of it, there was plenty of authority as expressed in the army, its officers, and especially its General. With no further mandate than his position as commander-in-chief of the armed forces, Cromwell, as he said later, exercised "that power that I thought was devolved on me, to the end that affairs might not have any interval," and was generally recognized as the *de facto* if not the *de jure* head of the state.

Of that, apart from the obvious fact that the head of the army was in control of the nation, there was every evidence. The French envoy reported that after the dissolution of Parliament, the Lord Mayor of London was summoned to Whitehall and on his proposal to surrender his sword of office was told by Cromwell to keep his place.¹ The Venetian envoy transmitted to his government a story that on the same evening the General wrote in the name of the officers to the States General of the United Provinces that the army favored peace.² But it scarcely needed such testimony to demonstrate that the army was now in control, its Council of Officers the chief source of authority, and its General the chief executive, especially since, as the news of the dissolution spread, officers and officials everywhere hastened to prepare assurances of their approval of the dissolution and their support of its authors,

¹ Bordeaux to Brienne, Apr. 21/May 1, Gardiner, S. R., *Commonwealth and Protectorate* (L., 1903), ii, 269; Paulucci to Sagredo, Apr. 29/May 9, *Cal.S.P. Ven.* (1653-4), p. 67.

² *Ibid.*, pp. 67-8. Paulucci added that the story could not be verified.

particularly of the Lord General. Meanwhile every word and act of the Council and the General gave evidence that they were not only well aware of their position but were prepared to face the consequences and the responsibilities of the situation they had created.

The outlines of the task which lay before them were relatively clear. Their first care was to allay public apprehension at the disappearance of Parliament and to justify its dissolution. Their next step was obviously to transform their actual power into some seemingly legal or quasi-legal form of government, to secure the recognition of that system by the army and the officials, and to persuade or compel its acceptance by the nation and its recognition by foreign powers. Though there was no force in or outside of the British Isles able to challenge their position so long as the soldiers followed their officers — and there was no sign that they would not — it was not to be expected that a rule of naked force could last, or that any one, even the officers themselves, would be content with it. Though some of the advocates of dissolution had not looked beyond that act, secure in the belief that it would mean the end of their troubles, the question as to what would happen once Parliament was gone had greatly disturbed the more thoughtful among them, and even had that not been true, the inexorable logic of the situation compelled them to action. The first report of their activities following the dissolution, therefore, is that on the day after the House was expelled, Cromwell and his colleagues were "busy in consultation to find out a new Government and Governors for their Commonwealth."³

Meanwhile it was necessary to reassure the public; to provide a defence of what, on the face of it, might well seem a triumph of brute force over law and constitution; and to warn the nation that its new masters intended to be obeyed. In consequence there appeared on April 22 the *Declaration of the Lord General and his Council of Officers*. That proclamation was not merely a defence of the dissolution but what has always been regarded in political no less than in military affairs as the best defence — that is to say an attack. It was a thoroughgoing denunciation of the late Parliament, but it was more than that. As usual its authors threw the responsibility for their decision upon the Almighty and issued a solemn warning against any opposition to them based on the same authority, "that all men as they would not provoke the Lord, to their own destruction, should wait for such issue as he shall bring forth, and to follow their own business with peaceable spirits, wherein we promise them protection by his assistance." What that issue would be, they agreed to reveal in due time, and they concluded with an admonition to all civil officials to continue to perform their duties and to the people to obey them "as fully as when the Parliament was sitting." But

³ Whitelocke, *Memorials* (L., 1732), p. 555.

as to what the outcome might be they gave no hint, and it is apparent that no details of the new dispensation had as yet been revealed to them.

The Declaration of the Lord General and his Council of Officers

April 22, 1653

Our intention is not to give an account at this time, of the grounds which first moved us to take up arms, and engage our lives and all that was dear unto us in this cause; nor to mind, in this Declaration, the various dispensations through which Divine Providence hath led us, or the witness the Lord hath borne, and the many signal testimonies of acceptance, which he hath given, to the sincere endeavours of his unworthy servants, whilst they were contesting with the many and great difficulties, as well in the wars, as other transactions in the three nations; being necessitated, for the defence of the same cause they first asserted to have recourse unto extraordinary actions, the same being evident by former Declarations published on that behalf.

After it had pleased God not only to reduce Ireland and give in Scotland, but so marvelously to appear for his people at Worcester, that those nations were reduced to a great degree of peace, and England to perfect quiet; and thereby the Parliament had opportunity to give the people the harvest of all their labour, blood and treasure, and to settle a due liberty both in reference to civil and spiritual things, whereunto they were obliged by their duty, their engagements, as also the great and wonderful things which God hath wrought for them, it was matter of much grief to the good and well-affected of the land, to observe the little progress which was made therein, who thereupon applied to the army, expecting redress by their means, notwithstanding which, the army being unwilling to meddle with the Civil authority, in matters so properly appertaining to it; it was agreed that his Excellency and officers of the army, which were members of Parliament, should be desired to move the Parliament to proceed vigorously in reforming what was amiss in government, and to the settling of the Commonwealth upon a foundation of justice and righteousness; which having done, we hoped that the Parliament would seasonably have answered our expectation, but finding to our grief, delays therein, we renewed our desires in an humble petition to them, which was presented in August last; and although they at that time, signifying their good acceptance thereof, returned us thanks, and referred the particulars thereof to a committee of the House, yet no considerable effect was produced nor any such progress made, as might imply their real intentions to accomplish what was petitioned for; but on the contrary, there more and more appeared among them, an aversion to the things themselves, with much bitterness, and opposition to the people of God, and his spirit acting in them, which grew so prevalent, that those persons of honor and integrity amongst them, who had eminently appeared for God and the public good, both before and throughout this war, were rendered of no farther use in Parliament, then by meeting with a corrupt party to give them countenance to carry on their ends, and for effecting the desire they had of perpetuating themselves in the supreme government. For which purpose the said party long opposed, and frequently declared themselves against having a new representative; and when they saw themselves necessitated to take that bill into consideration, they resolved to make use of it to recruit the

House, with persons of the same spirit and temper, thereby to perpetuate their own sitting. Which intention divers of the activest amongst them did manifest, laboring to persuade others to a consent therein; and the better to effect this, divers petitions preparing from several counties for the continuance of this Parliament, were encouraged, if not set on foot by many of them.

For obviating these evils, the officers of the army obtained several meetings with some of the Parliament, to consider what fitting means and remedy might be applied to prevent the same; but such endeavors proving altogether ineffectual, it became most evident to the army, as they doubt not it also is to all considering persons, that this Parliament, through the corruption of some, the jealousy of others, the non-attendance and negligence of many, would never answer those ends which God, his people, and the whole nation expected from them: but that this cause which the Lord hath so greatly blessed, and bore witness to, must needs languish under their hands, and by degrees be wholly lost, and the lives, liberties, and comforts of his people delivered into their enemies hands.

All which being sadly and seriously considered by the honest people of this nation, as well as by the army, and wisdom and direction being sought from the Lord, it seemed to be a duty incumbent upon us, who had seen so much of the power and presence of God going along with us, to consider of some more effectual means to secure the cause, which the good people of this commonwealth had been so long engaged in, and to establish righteousness and peace in these nations.

And after much debate it was judged necessary and agreed upon, that the supreme authority should be by the Parliament devolved upon known persons, men fearing God, and of approved integrity, and the government of the commonwealth committed unto them for a time, as the most hopeful way to encourage and countenance all God's people, reform the law, and administer justice impartially; hoping thereby the people might forget monarchy, and understanding their true interest in the election of successive Parliaments, may have the government settled upon a true basis, without hazard to this glorious cause, or necessitating to keep up armies for the defence of the same.

And being still resolved to use all means possible to avoid extraordinary courses, we prevailed with about twenty members of Parliament, to give us a conference, with whom we freely and plainly debated the necessity and justness of our proposals on that behalf: and did evidence that those, and not the act under their consideration, would most probably bring forth something answerable to that work, the foundation whereof, God himself hath laid, and is now carrying on in the world.

The which notwithstanding found no acceptance, but instead thereof, it was offered that the way was to continue still this present Parliament, as being that from which we might reasonably expect all good things. And this being vehemently insisted upon, did much confirm us in our apprehensions, that not any love to a representative, but the making use thereof, to recruit, and so to perpetuate themselves, was their aim.

They being plainly dealt with about this, and told, that neither the nation, the honest interest, nor we ourselves, would be deluded by such dealings. They did agree to meet again the next day in the afternoon, for mutual satisfaction, it being consented to by the members present, that endeavors should be used,

that nothing in the mean time should be done in Parliament, that might exclude or frustrate the proposals before mentioned.

Notwithstanding this, the next morning the Parliament did make more haste than usual, in carrying on their said act, being helped on therein by some of the persons engaged to us the night before, none of them which were then present endeavoring to oppose the same; and being ready to put the main question for consummating the said act, whereby our aforesaid proposals would have been rendered void, and the way of bringing them into a fair and full debate in Parliament obstructed.

For preventing whereof, and all the sad and evil consequences, which must upon the grounds aforesaid have ensued, and whereby at one blow the interest of all honest men, and of this glorious cause, had been endangered to be laid in the dust, and these nations embroiled in new troubles, at a time when our enemies abroad are watching all advantages against us, and some of them actually engaged in war with us; we have been necessitated, though with much reluctance, to put an end to this Parliament;⁴ which yet we have done, we hope, out of an honest heart, preferring this cause above our names, lives, families, or interests, how dear soever; with clear intentions and real purposes of heart, to call to the government persons of approved fidelity and honesty; believing that as none wise will expect to gather grapes of thorns, so good men will hope that if persons so qualified be chosen, the fruits of a just and righteous reformation, so long prayed and wished for, will, by the blessing of God, be in due time obtained, to the refreshing of all those good hearts who have been panting after those things.

Much more might have been said, if it had been our desire to justify ourselves, by aspersing others, and raking into the misgovernment of affairs; but we shall conclude with this, that as we have been led by necessity and providence, to act as we have done, even beyond and above our own thoughts and desires, so we shall and do, in that of this great work which is behind, put ourselves wholly upon the Lord for a blessing; professing, we look not to stand one day without his support, much less to bring to pass any of the things mentioned, and desired, without his assistance; and therefore do solemnly desire and expect that all men, as they would not provoke the Lord to their own destruction, should wait for such issue as he shall bring forth, and to follow their business with peaceable spirits; wherein we promise them protection by his assistance.

And for those who profess their fear and love to the name of God, that seeing in a great measure for their sakes, and for righteousness sake, we have taken our lives in our hands to do these things, they would be instant with the Lord day and night on our behalves, that we may obtain grace from him. And seeing we have made so often mention of his name, that we may not do the least dis-honor thereunto: which indeed would be our confusion, and a stain to the whole profession of Godliness.

We beseech them also to live in all humility, meekness, righteousness, and love, one towards another, and towards all men, that so they may put to silence the ignorance of the foolish who falsely accuse them; and to know, that the late

* The remainder of this paragraph, from "which yet we have done" to "after those things," though included in the originally published version of the declaration, is omitted from both *Mercurius Politicus* and the *Perfect Diurnal*.

great and glorious dispensations, wherein the Lord hath so wonderfully appeared in bringing forth these things by the travail and blood of his children, ought to oblige them so to walk in the wisdom and love of Christ, as may cause others to honor their holy profession, because they see Christ to be in them of a truth.

We do further purpose before it be long, more particularly to show the grounds of our proceedings, and the reasons of this late great action and change, which in this we have but hinted at.

And we do lastly declare, that all judges, sheriffs, justices of peace, mayors, bailiffs, committees, and commissioners, and all other civil officers, and public ministers whatsoever, within this Commonwealth, or any parts thereof, do proceed in their respective places and offices; and all persons whatsoever are to give obedience to them as fully, as when the Parliament was sitting.

Signed in the name and by the appointment of his Excellency the Lord General and his Council of Officers.

Whitehall, the 22 of April, 1653.

William Malyn, Secret.⁵

The *Declaration* published, the next step was to disseminate it as widely as possible throughout the British Isles and to secure support for it and for its authors. So far as officers and officials, both local and national, were concerned this was not difficult, and there seems to have been little if any immediate overt opposition from any quarter. Whatever men thought of the situation and its masters, there was neither opportunity nor organization to oppose them. The example of submission to the new order was set by those nearest to the center of affairs. With the issue of the *Declaration*, the Commissioners of the Great Seal and other public officials resumed their duties, if they can be said ever to have omitted them.⁶ The officers and officials in England, Scotland, Ireland and the fleet were notified of the dissolution at once by the General and the Council of Officers who met daily at Whitehall;⁷ and the sheriffs were instructed to publish the *Declaration* in every part of England by the order of the Lord General, as a letter to the sheriff of Carnarvon witnesses:

*For the High Sheriff of the County of Carnarvon, these
Haste Post Haste*

SIR;

The Declaration inclosed doth show the grounds and reasons of the dissolution of the last Parliament; which you are desired to cause to be published

⁵ Published April 23. Also printed in *Perf. Diurn.*, Apr. 23; repr. in *Parl. Hist.* (L., 1763), xx, 137-43; Heath, *Flagellum* (1672), pp. 129-35; Hansard, *Debates*, iii, 1386-90; *Cromwelliana* (1810), pp. 120-21. This Declaration, issued by the Council in Ireland, was published there on April 29 (*Merc. Pol.*); see Ludlow, *Memoirs*, ed. Firth (Oxford, 1894), i, 537. The first paragraph is printed in Heath's *Flagellum* and in *Parl. Hist.*, but not in *Cromwelliana*.

⁶ Whitelocke, p. 555.

⁷ *Perf. Diurn.*, Apr. 22, 1653.

THE END OF THE COMMONWEALTH

9

through your county. I have herewith sent you several copies, that you may disperse them to such places as you think fit, & rest

Sir,

Your very loving friend

O. CROMWELL⁸

Whitehall, 23rd of
April, 1653

The response to the *Declaration* was prompt and reassuring. The Venetian envoy reported that an understanding with the army and navy was effected by the "prudence and sagacity" of the General, and officers and officials everywhere hastened to express their approval. The replies to the *Declaration* came in as fast as the posts could carry them. On April 28 an address from the people of Durham assured the officers of support in that quarter.⁹ On the next day the *Declaration* was published in Ireland, and though Ludlow was opposed to Cromwell's act, he signed the document with the other commissioners, Fleetwood, Jones and Corbet.¹⁰ The same day, April 29, there arrived a letter from the Judge Advocate of Scotland and other officials there, assuring the General of their intention to stand or fall with the new authority.¹¹ In so far, at least, the authors of the *coup d'état* had reason to believe that their position was for the time secure.

The attitude of the navy was somewhat different and gave no little concern to those in charge of affairs. In view of the foreign situation, especially the Dutch war, its assent was absolutely essential. Its refusal to support the General and the officers might spell disaster, and it had not always seen eye to eye with the army. One of Cromwell's first acts after the dissolution of Parliament, therefore, had been to issue orders to its two squadrons. Of their commanders, Blake, incapacitated by an injury which had kept him on shore for some weeks, had arrived in Westminster on the very day of the dissolution, and though it was rumored he did not wholly approve of it, he gave no signs of opposition.¹² Deane and Monk were on board the *Resolution*, off Portsmouth, and Penn was in the Downs. To the former Cromwell sent the news of the dissolution without comment and ordered them to join Penn.¹³ Thus advised, on the day that the *Declaration* was published, at a meeting on board the *Resolution*, Deane and Monk with thirty-five captains signed

⁸ *Facs.* in W. D. Fellowes, *Historical Sketches* (L., 1828), opp. p. 256. Sir Owen Wynn was the High Sheriff at that time. His endorsement appears beneath Cromwell's note.

⁹ Pr. in *Perf. Diurn.*, May 2. According to it the *Declaration* of the officers had been received April 26.

¹⁰ Pr. in *Merc. Pol.*, and *Perf. Diurn.*, May 9. See Ludlow's *Memoirs*, i, 537.

¹¹ Pr. in *Merc. Pol.*, May 5-12 and *Perf. Diurn.*, May 7..

¹² *Perf. Diurn.*, Apr. 25.

¹³ On the 28th came news that the fleets, totalling over 100 ships, had joined forces.

a declaration of their own in the form of a letter to Penn and his officers after the manner of the service which traditionally "has no politics," expressing no opinion as to recent events in Westminster but declaring their intention to perform their duty,¹⁴ while in later years Monk wrote in the same strain to Goodson explaining his acquiescence as due to "what might then patiently be submitted unto, we being engaged with a foreign enemy in a bloody war."¹⁵ On the day of its publication, or the next, Cromwell wrote to Penn enclosing a copy of the *Declaration* and ordering him to proceed westward with his ships; and to this Penn, who received the letter on the 24th, replied that his captains, called to the *James* for consultation, upheld the dissolution and would engage their lives to promote the good work.¹⁶ In such fashion the support of the navy was assured, no less, perhaps, in that some of its leaders had been transferred from land to sea commands and thus were the more inclined to follow the dictates of the army and its General.

Though one of the natural reactions to the overthrow of a government by force is disorder, there seem to have been few disturbances in the country at large as the result of the dissolution, but among them, oddly enough, was one which harked back to Cromwell's earliest political activities. The recent *Act for draining the Fens* had not found much approval among the fen-dwellers who at this moment expressed their dissatisfaction in riots and destruction. Whatever his earlier champion-ship of their cause, the General was not disposed to countenance such activities, and on the day after the issue of the *Declaration* he sent an order to the major of his own regiment to quell the disturbances:

To Major William Packer

Mr. Packer,

I hear some unruly persons have lately committed great outrages in Cambridgeshire, about Swaffham and Botsham, in throwing down the works making by the adventurers, and menacing those they employ thereabout. Wherefore I desire you to send one of my troops, with a captain, who may by all means persuade the people to quiet, by letting them know, They must not riotously do anything, for that must not be suffered: but if there be any wrong done by the adventurers,— upon complaint, such course shall be taken as appertains to justice, and right will be done. I rest,

Your loving friend,

23 April, 1653.

OLIVER CROMWELL.¹⁷

¹⁴ Pr. in *ibid.*, Apr. 25; *Merc. Pol.*, Apr. 21-28; *Cromwelliana*, p. 122.

¹⁵ Quoted in *D.N.B.*, "Monck"; dated Apr. 11, 1659.

¹⁶ Pr. in *Perf. Diurn.*, May 2 (Penn's letter, Apr. 25).

¹⁷ Lomas-Carlyle, CLXXXVIII, from the Records of the Fen Office in Serjeants' Inn, London. Carlyle read the man's name Parker and assumed that he was an agent of the Company of Fen Adventurers but, as Mrs. Lomas pointed out, Cromwell would hardly have put one of his troops at the disposal of a civilian, and since his major was Packer, there can be little doubt that it was he whom Cromwell

Such were the first repercussions of the dissolution of Parliament and the beginning of a new order in the British Isles. They followed the pattern of all such movements. The task of men who like Cromwell and his colleagues overthrow an existing system by a sudden stroke is always hard and always the same. It is to secure their own position, to gain as much support for it as they can, and to devise a new system which will keep them in power and still assure as much general approbation as possible. In this the Independent leaders had certain advantages of which they were well aware. They had armed forces at their command so strong that there was at that moment no power or possible combination of powers which could hope to overthrow them. They were, in fact, more of a threat to the rest of the world than it was to them. Their second advantage was the existence of a network of congregations throughout England which could be relied on to support them and to keep them advised of the activities and even the plans of their opponents. The third was that they, and especially their leader, not only had experience in administration but controlled the officials throughout the British Isles. In the face of these circumstances and one even more important — that they had at their head the most accomplished soldier-politician in Europe — the fact that they were the leaders of a minority and a relatively small minority of the people of the three kingdoms was a matter of small consequence, for, as Cromwell was reported to have replied to Calamy, even were nine men out of ten against them, what did that matter if only the tenth man had a sword.

Finally they had one further advantage of as great or even greater consequence. It was that, as in the earlier changes which had brought about the existing situation, the way for their next step had been long prepared. The power of the crown had been first undermined, then destroyed, long before the King was executed and his office abolished. The House of Lords had lost all of its powers and almost all of its members before it was voted out of existence. Finally the assembly which Cromwell had dissolved was neither in fact nor in function a Parliament at all in any customary sense of that word. It was limited not only to the House of Commons but to a fraction of that House, and even of its much diminished numbers many had been chosen by what was little more than a farce of election. That was in some degree recognized even by its members themselves and their defenders, many of whom chose to compare it not with the Commons, much less with Parliament in its older sense, but with the Roman Senate, whose activities and powers offered a closer analogy. And it may be noted in this connection that whereas before the vote of March 19, 1649, abolishing the House of Peers, Cromwell's letters to Lenthall had been addressed to him as addressed (*ibid.*, ii, 268). Packer was sent on a like mission to Gloucester in June 1654, to restore the peace. *Cal. S. P. Dom.* (1654), p. 212.

"Speaker of the House of Commons," those after that date were addressed to him as "Speaker of the Parliament." With the passage of that Act, on that day and on the next vote, the Commons remnant used the word "Parliament" to refer to itself in appointing a committee to take over the records and residence of John Browne, secretary to the House of Peers, and to transfer his dwelling to the "clerk of the Parliament." Four days later, on March 23, 1649, the form of the writs was altered to run in the name of "Custodes Libertatis Angliae, Auctoritate Parliamenti." Since those days the "Parliament" had shrunk in membership, ability, and especially in public esteem. None the less, poor as it was, its dissolution by force had been a great shock to public opinion, and however far removed the next assembly might be from the old order, some assembly was essential to meet the national desire for a representative body, preferably under the old name if possible.

Meanwhile, however, it was necessary to give this new order some form and direction and to that task the leaders had addressed themselves. On the day after the issue of the *Declaration*, April 23, the nucleus of a new Council of State — or, more accurately, the General's Council — was formed. Three members of the late Parliament, Walter Strickland, Colonel Bennett and Major Salwey, appeared to assist Cromwell, Lambert, Harrison and Colonel Sydenham. Three days later, the Council — which there seems to have been some vague idea should eventually contain twenty-one men — had not been formally established, but Carew, Pickering and Colonel Stapley were meeting with the little group in whose hands for the moment lay the fortunes of England.¹⁸ Of the other revolutionary leaders, Vane, and doubtless many others, had "gone into the country," while Bradshaw, Haselrig and St. John remained as impotent but no doubt much interested and perhaps disturbed spectators of this latest development of a revolutionary movement in which they had played so great a part but which had now gone beyond them.¹⁹

It is not difficult to picture the situation of Cromwell himself at this moment. At his headquarters in the Cockpit at Whitehall, with his colleagues within easy call, supported by the regiments quartered in the immediate neighborhood, the Lord General now had the power, though not the title, of the nation's chief executive and was busied with the infinitely numerous and various duties which naturally fell to the active head of the armed forces as well as to the head of the state. Amid the circumstances of the founding of a new order the scanty and insignificant records of his activities are such as might be expected. On April 25 he wrote a letter on a subject far removed from the events in Westminster which indicated, incidentally, that the solution of the problem of government had not yet been reached:

¹⁸ *Clarke Papers*, ed. Firth (L., 1899), iii, 2.

¹⁹ *Ibid.*, p. 3.

*For my Loving Friends the Commissioners named in a late Act of Parliament
intituled an Act for the better Propagation and Preaching of the Gospel
in Wales*

GENTLEMEN,

The late Parliament not having continued the Act for the propagation of the Gospel in Wales, and there being no supreme power as yet settled by whose authority the liberty of the Gospel in Wales may be established, I would advise you to go on cheerfully in the work as formerly to promote these good things and protect good men in the said work, and put in execution the things settled by former acts and ordinances in that behalf. In so doing, the Lord will be with you and you shall have all fitting assistance and encouragement therein from myself, until those placed in the supreme power shall take further order. I rest, your loving friend,

Whitehall, 25th April, 1653.

O. CROMWELL.²⁰

On that same day it was reported that he had turned to a device common to all revolutionary upheavals — executive clemency — by pardoning a group of prisoners on their way to Tyburn,²¹ and had sent his secretary to the Lord Mayor of London and the justices of the sessions to ask that for the present no one condemned to death for any crime short of murder should be executed.²² Paulucci confirmed this by reporting further that two men under sentence of death had been reprieved and that Cromwell intended that for the future only murderers should suffer capital punishment.²³ Finally, on April 26, the General instructed Colonel Sydenham to order Captain Baskett at Cowes and Captain Petchell in the Isle of Wight to send soldiers to the fleet "above the established number";²⁴ and on the day following it appears that he and the council of officers "recommended some business to the Commissioners of the Great Seal" — possibly as to a change in the Seal itself or a new form of writs — and this was duly "proceeded in."²⁵

Within the framework of these scattered and divergent notices of the General's activities in the week after the dissolution may be perceived the course which all men in such a situation have taken and must take when faced with the problem of carrying on an administration in the midst of war and revolution, while endeavoring to secure their own position and to devise some other form of government to replace that which they have overthrown. The Council sat every day considering every kind of

²⁰ Lomas-Carlyle, Suppl. 77, from *Order Book of Comm. for Comp.*, 1655; *S. P. Dom. Interreg.*, G. xxix, 9; Cal. in *Cal. Comm. for Comp.*, p. 637. See also James Waylen, *House of Cromwell* (L., 1891), p. 276.

²¹ *Perf. Account; Nunziatura di Fiandra* in Vatican archives, quot. by Gardiner.

²² Newsletter Apr. 26, *Clarke Papers*, iii, 2.

²³ Paulucci to Sagredo, Apr. 29/May 9, *Cal. S. P. Ven.* (1653-4), p. 67.

²⁴ *Cal. S. P. Dom.* (1652-3), pp. 297-8.

²⁵ Whitelocke, p. 555.

business from the control of the armed forces to the suppression of libels, but always with the discussion of the settlement of the kingdom as its principal concern. And if the members, as they said, waited on the Lord for a sign, it is at least possible in those busy days that they also took into consideration the popular reaction to their recent activities and the sentiments of their own party as to the next step.

That reaction is difficult to judge at this distance, for it is seldom easy to assess public opinion at any time save by its expression in action, and never more difficult than at such times as these. The press was now almost completely controlled by the party in power and merely reflected the opinions approved by the leaders. Not much private correspondence seems to have survived — or at least has become available — nor are men likely to commit their thoughts to paper at a time like this when the posts were supervised almost as closely as the press, unless those thoughts are in accordance with the policies of the authorities. Moreover the nation was stunned by the suddenness of the stroke, and though in the main it approved of the dissolution of this particular body, it was not prepared to face unparliamentary rule and it is evident that the recent activities of the General and his colleagues cut sheer across some of the older political divisions.

The members of the late House of Commons who had opposed the Cromwellians were naturally still antagonistic and they had some following in the country. The Republicans in and out of the army were especially disheartened and disgruntled and feared the worst — either the return of the Stuarts or a dictatorship.²⁶ The Presbyterians lamented the disappearance of the Parliament and were not soothed by the observations of the General in regard to them. The sentiments of the City, which were presently to be expressed more openly, were not reassuring. The attitude of the commanders at sea was revealed not only in the message of Deane and Monk but in the words of Admiral Lawson who expressed the feelings of many when he wrote somewhat ambiguously that he trusted “the Lord will bring glory to himself and good to his people by all these revolutions.”²⁷

But while the Republicans were fearful, the Presbyterians dubious, and most men were reserving their opinions, many Royalists tended to approve of the dissolution, partly on account of their hatred of the body from which they had suffered so much, partly because they imagined that it might produce a schism in the ranks of the revolutionists, and partly in the hope that it might somehow lead to the restoration of the Stuarts, perhaps through Cromwell’s agency. Dugdale wrote that, as it was one of Cromwell’s “greatest adventures, so was it the most grateful to the People that ever he did, it being no less than the quelling of

²⁶ Ludlow’s *Memoirs*, *passim*.

²⁷ *Cal. S. P. Dom.* (1652–3), p. 293. Apr. 25, 1653.

that many-headed Monster, which glutted with unmeasurable Rapine, and Innocent Blood, had been not a little dreadful to the greatest part of Europe.”²⁸ Hyde was “confounded with the glorious action of Cromwell in dissolving Parliament,” adding that “as this acte of dissolvinge this accursed assembly of rogues is the most popular and obliginge acte to the whole nation, so Cromwell seems . . . to be possessed of so absolute a power that nothinge can stande in his way.”²⁹ Though he expressed fears for the fate of his companions in exile, the Chancellor gave way to the wishful thinking so characteristic of a defeated party, for like many of his fellow-Royalists, even he fondly imagined for the moment that the new master of England might restore the Stuarts. Such a belief was not confined to the Royalist exiles. As a ballad of the time on the subject of the dissolution suggested:

Now some like this change and some like it not,
Some think it was not done in due season;

.....
Some think that Oliver and Charles are agreed
And sure it were good policy if it were so.³⁰

That solution did not appeal to those in conduct of affairs, least of all to Cromwell himself, but the ballad-writer was right in one thing — there was extreme diversity of opinion especially as to the next step, even among the revolutionary leaders themselves.

Meanwhile the Independents were frankly jubilant. One by one they had beaten down their enemies. They had passed the Slough of Despond and the Hill Difficulty; they had overthrown the Giant Despair and routed Apollyon; they had won through to the borders of the Promised Land. Nevertheless — outside, perhaps, of the inner circle of their leaders — they were somewhat at a loss as to their next step. Of them all only the Fifth Monarchists seemed certain what that step should be. Their industrious pamphleteer, John Spittlehouse, in his *Army Vindicated*, hastened to defend the dissolution and urge the Council of Officers to choose a committee to govern.³¹ John Rogers reinforced and amplified the appeal of Spittlehouse by suggesting the formation of a Sanhedrim of seventy “godly men to direct affairs,” a plan which, it was said, Harrison favored.³² A petition from the “Churches of Christ” echoed the same demand, approving the dissolution and appealing to the General

²⁸ Sir William Dugdale, *Short View of the Late Troubles in England* (1681), pp. 405–6.

²⁹ Hyde to Nicholas, May 6/16, Macray, *Calendar of Clarendon State Papers* (Oxford, 1876), ii, 203.

³⁰ *Rump: or an exact collection of the choycest poems and songs* (1662, repr. 1874), i, 306.

³¹ *The Army Vindicated in the late dissolution of Parliament . . .* (1653).

³² *A Few Proposals relating to Civil Government*. Apr. 27, 1653.

to appoint "conservators" of the nation rather than allow the counties to elect a Parliament.³³

In this situation only two things seemed fairly obvious to the officers. The one was that any Parliament in the older sense was out of the question, for almost any sort of a general election would have brought them crashing to the ground. The other was that, whatever form of government was devised, it would be difficult, if not impossible, to avoid the name if not the substance of some kind of a Parliament. Though the *Agreement of the People* and some of those in whose hands the settlement of the kingdom now rested had carefully avoided that word, using the phrase "new representative" in its place, "Parliament" still carried weight in the popular mind, as the last words of the *Declaration of the Lord General and his Officers* themselves testified.

As to Cromwell himself, Ludlow wrote that at this time,

he sent for Major Saloway and Mr. John Carew, to whom he complained of the great weight of affairs that by this undertaking was fallen upon him; affirming, that the thoughts of the consequences thereof made him to tremble, and therefore desired them to free him from the temptations that might be laid before him; and to that end to go immediately to the Chief Justice St. Johns, Mr. Selden, and some others, and endeavour to perswade them to draw up some instrument of government that might put the power out of his hands. To this it was answered by Major Saloway; "The way, Sir, to free you from this temptation is for you not to look upon your self to be under it, but to rest perswaded that the power of the nation is in the good people of England, as formerly it was."³⁴

Whereupon, says Ludlow, the General saw "that he was better understood" than he thought, and appointed a meeting of the officers at Whitehall to discuss the next step in the proceedings. That step — decided on by the officers or decided for them by the exigencies of the situation in which they found themselves — was obviously to reassure the nation that the demand for a representative body would be met, and on the last day of April there appeared, in consequence, a new declaration under Cromwell's name and by his authority as Captain-General promising an assembly in accordance with the *Declaration* of eight days previous, though carefully omitting to call this new representative a Parliament. It reiterated the warning given earlier as to obedience to the new authorities and notified the public of the constitution of what was now called officially the new "Council of State."

A Declaration of Oliver Cromwell, Captain General of all the forces of this Commonwealth.

Whereas, the Parliament being dissolved, persons of approved fidelity and

³³ *Parl. Hist.*, xx, 144-5.

³⁴ Ludlow, *Memoirs*, i, 358.

honesty, are, according to the late declaration of the 22 of April last, to be called from the several parts of this Commonwealth to the supreme authority; and although effectual proceedings are, and have been had, for perfecting these resolutions, yet some convenient time being required for the assembling of those persons, it hath been found necessary, for preventing the mischiefs and inconveniences which may arise, in the mean while to the public affairs, that a Council of State be constituted to take care of, and intend the peace, safety, and present management of the affairs of this Commonwealth, which being settled accordingly, the same is hereby declared and published, to the end all persons may take notice thereof; and in their several places and stations, demean themselves peaceably, giving obedience to the laws of the nation, as heretofore. In the exercise and administration whereof, as endeavors shall be used that no oppression or wrong be done to the people, so a strict account will be required of all such as shall do any thing to endanger the public peace and quiet, upon any pretence whatsoever.

April the last, 1653.

O. CROMWELL.³⁵

THE NEW ADMINISTRATION

Despite the confusion in the popular mind it is evident from the language of the declarations, from the statements of the chief actors in the drama, and from the result, that the plan now about to be put into effect was no sudden improvisation but the result of discussions which long antedated the dissolution. The steps which the leaders had taken since that event though rapid had been sure. They had laid their case before the nation; they had notified officers and officials everywhere and the public generally that they expected to be obeyed; and the General had hastened to form a new Council for himself, beside or above the Council of Officers. By the end of April the new government was under way. At its head, by virtue of his position in the army and his own personal ascendancy, was Cromwell himself, and despite the popular rumors as to the rivalry of Lambert and Harrison and what ambitions either of them may have cherished, his dominance was in general recognized both at home and abroad.

His new Council consisted for the time being of ten men, the "Decemvirate" as the Royalists called them. Seven of them — Generals Cromwell, Lambert, Harrison and Desborough, and Colonels Stapley, Bennett and Sydenham — were in the army; and three — John Carew, Walter Strickland and Sir Gilbert Pickering — were officials. Within a month three others were added to this list — Colonels Tomlinson and Jones and the London merchant and alderman, eminent in the affairs of the East India Company, Samuel Moyer. The army representatives thus outnumbered the civilians two to one; and it is noteworthy that of

³⁵ Single sheet (May 3); repr. in *Merc. Pol.*, Apr. 28—May 5; *Faithful Post*, Apr. 29—May 6; *Cromwelliana*, p. 122. Copy in *Carte MSS.*, vol. 131 (Bodleian Library), calendared in *3rd Rept. Deputy Keeper of Pub. Records*, App. I, p. 53.

this new body only Cromwell, Harrison, Stapley and Carew were regicides. All were men of parliamentary or administrative experience. Three — Cromwell, Pickering and Stapley — had been original members of the Parliament just dissolved. Four — Harrison, Carew, Strickland and Sydenham — had been recruited members; and four — Cromwell, Harrison, Pickering and Strickland — had been members of the recently dissolved Council of State, while Carew and Stapley had sat on earlier Councils. It is perhaps still more noteworthy that Fairfax was reported to have been offered and to have refused a place in this new Council.³⁶ In it Lambert was the most conspicuous figure. He was named president for the first week; no member was more assiduous in attendance than he in these early days; and whether he was Cromwell's "deputy," or his "understudy," or his "rival," or all three, as he has been variously described, it is evident that he was at least a close second to Cromwell in popularity and power.

There was apparently a struggle going on among the leaders and their followers not only as to the form of the new representative but in greater or less degree as to the control of the state. Though it seemed increasingly certain to those outside the narrow circle of leaders that Cromwell was and would remain the dominating personality, it did not seem so certain within that circle, for there were actually or potentially two other aspirants for that place — Harrison and Lambert. The former, according to a newsletter, neglected no opportunity to preach his "revelations . . . whereof one lately was . . . that . . . it was revealed unto him that there would speedily be a king again, but not one of the former race, nor such carnal persons as some eminent in the present power, but a man after God's own heart."³⁷ It scarcely requires the suggestion of the reporter that Harrison meant himself as opposed to either Cromwell or Lambert to perceive the import of the revelation. In that he was supported by the Fifth Monarchists, conspicuous among them the Baptist Feake, who from his pulpit in Christ Church, Newgate Street, in opposition to Spittlehouse, declared that "Although the General had fought their battles with success, yet he was not the man that the Lord had chosen to sit at the helm."³⁸

On the other hand, while the members of the "fanatic gathered churches" rallied to Harrison, there were many outside of those ranks who favored Lambert. "The army's darling," he was recognized as being scarcely if at all inferior to Cromwell in military skill; friendly to the interests of the soldiers; a "gentleman"; and opposed to the fanaticism of Harrison's party. Of the three — whether or not that was a

³⁶ Newsletter, Apr. 29, in *Eng. Hist. Rev.*, viii (1893), 533-4, from *Clarendon MSS.* See also *Cal. S. P. Ven.* (1653-4), p. 71.

³⁷ Newsletter, May 13/23, Macray, ii, 205.

³⁸ *Ibid.*

recommendation — he was reputed to be the most acceptable to the Royalists; and he was further described as an “unfathomed person” — “bottomless” Cromwell had called him — “and consequently the more to be feared.” He was “the ruling reason in the Council” even when Cromwell was present,³⁹ and he unquestionably had some statesmanlike qualities however far he fell short of Cromwell as a politician, since his vanity and ostentation had more than once made him enemies.

None the less the balance was strongly weighted in favor of Cromwell. He had the enormous advantage of holding so many of the principal offices. If he was not the idol of the fanatical elements, he was more or less acceptable to most of them. If he was not “the army’s darling,” he was its commander-in-chief and he had the respect and confidence of the soldiers. He was not wholly distasteful even to many Royalists, who, filled with wishful thinking, were encouraged to believe that between the rivalry of Parliament and the army, and between Cromwell, Harrison and Lambert, some way might be found to restore the Stuarts, and that, if not Lambert, then Cromwell might be persuaded to that course. It was even reported that Mazarin proposed a marriage between Charles II and the General’s daughter; Charles’ restoration; and the elevation of Cromwell to a dukedom and the lord deputyship of Ireland;⁴⁰ though as one of Thurloe’s agents in Paris wrote, Mazarin was not to be confided in and his only concern was fair promises and “fourberies.”⁴¹

Charles himself and his chief adviser Hyde cherished no such illusions. Supported by reluctant contributions from those to whom he appealed for money; deeper and deeper in debt; trying to arrange a marriage between his brother James and the daughter of the Duke of Lorraine who had an army at his command; carrying on a half-hearted and futile courtship for himself with Louis XIV’s sister; plotting with English and Scottish Royalists; he and his beggarly court had all they could do to keep alive in their exile. From him there was nothing to be feared; and despite the dreams of the more visionary Royalists there was nothing to be hoped from the revolutionary leaders. If England was to have a master it would not be a Stuart; and though it was suggested that the solution might be found in a triumvirate of Cromwell, Harrison and Lambert, with clearer insight Hyde wrote to Nicholas that the General seemed “to be possessed of so absolute a power, that nothing can stande in his way.”⁴²

That was the general opinion of many observers, especially those out-

³⁹ Lord Hatton to Hyde, May 13 in *Clar. State Papers*, vol. lxvi, quoted in W. H. Dawson, *Cromwell’s Understudy* (L., 1938), p. 168.

⁴⁰ Newsletter, May 20/30, Macray, ii, 208.

⁴¹ Thurloe, *State Papers* (L., 1742), i, 344, 355.

⁴² May 6/16, 1653, Macray, ii, 203.

side of England. If in his capacity as President of the Council it was Lambert who wrote to the Dutch States General to announce the desire of the new government for peace, it was to Cromwell that their letter had been addressed.⁴³ If Fifth Monarchs like Feake rallied to the side of Harrison, letters from the counties poured in on Cromwell approving his dissolution of Parliament and promising him support. The Venetian envoy noted that the new proclamation had been signed by Cromwell alone as Captain-General; that he was gaining in popularity daily; that it was by his order a treasure of Spanish plate had been seized; and that it was to him that the Spanish ambassador had applied for its release.⁴⁴

Whatever rivalry there was, did not interfere with the business of administration, which was, in effect, in Cromwell's hands. Of that one of the first concerns was to lay hands on all available funds. The Venetian envoy reported a general seizure of all letters [of credit] and money in the City belonging to the Commonwealth, as a result of which, he declared, doubtless with exaggeration, two million pounds was put at the disposal of the new government.⁴⁵ The Council's minutes reveal the effort to get money any and everywhere. At its first meeting, on April 29, Harrison was ordered to ask the Commissioners for inspecting the Treasuries to report the state of the finances.⁴⁶ At the second meeting, on the next day, it was decided to consider the disposition of a cargo of silver whose value was variously reckoned from two to eight hundred thousand pounds, which had been seized in transport in November⁴⁷ and was now lodged in the Tower, and, though not yet condemned for the use of the state, was ordered to be held there for safekeeping. The Spanish ambassador, who had protested the seizure, was compelled to content himself with what comfort he could from that assurance — and a key to the strong-room in which it was stored.⁴⁸ On that same day a committee was appointed to investigate the surplus pay for the soldiers which was still in the hands of the officers, and another to take account of Commonwealth moneys wherever they were.⁴⁹

⁴³ Declaration, May 6, in Thurloe, i, 239.

⁴⁴ *Cal. S. P. Ven.* (1653-4), pp. 71-72.

⁴⁵ Paulucci to Sagredo, Apr. 29/May 9, *ibid.*, p. 67.

⁴⁶ *Cal. S. P. Dom.* (1652-3), p. 299.

⁴⁷ The crew claimed to be Hamburgers, but the Admiralty Court decided they were under Dutch protection and their ship Dutch. The case went to the Committee for Foreign Affairs in January but had not yet been decided. *Ibid.*, pp. 66, 128.

⁴⁸ *Ibid.*, *passim*; *Cal. S. P. Ven.* (1653-4), pp. 6, 10, 50, 72. Part of the silver which belonged to some Dutchmen was presently coined, while Cardenas and many merchants made periodic protests over the rest. (*Cal. S. P. Dom.* 1652-3 and 1654 *passim*.) The ships lay in the Thames more than two years while every possible excuse was used to delay a decision. Bernardi says there were 800,000 pieces of eight (Prayer, "Oliver Cromwell," in *Atti della Societe Ligure di Storia Patria*, xvi, 69).

⁴⁹ *Cal. S. P. Dom.* (1652-3), p. 301.

Thus equipping itself with the sinews of war, the new government set forth on its task.

In all of this Cromwell was naturally deeply concerned, and in his capacity as both chief administrative officer of the government and its virtual head, a variety of business thrust itself on his attention. An inquiry into the state of the posts which had been put in the hands of Colonels Rich, Okey, Haynes and Kelsey, brought to him a plea from the postmaster, Attorney-General Prideaux, to be continued in his office, which was granted.⁵⁰ Marlborough appealed to him for aid after a fire which had destroyed the greater part of the town.⁵¹ A committee which he and the Council appointed began an investigation of the management and proposed reform of the debtors' prison of the Upper Bench, in consultation with its Keeper, Sir John Lenthall.⁵² He even took part in the suppression of a "scandalous" ballad on the late Parliament and in the imprisonment of its printer.⁵³ And finally, on May 7, turning aside for a moment from public affairs, he signed an indenture with John Walton of Piercefield, Monmouth, for the lease of his property called "Day-house."⁵⁴

Interrupted by these trifles and doubtless many more like them, the chief energies of the General and the Council in these days had naturally been devoted to the search for a solution of the problem of government. On May 3 there appeared another statement of the officers' case, set forth in simpler and more concise terms with a few additional details but closely following the main lines of their earlier statements, under the title of *Another Declaration; wherein is rendred a further account of the just grounds and reasons of the dissolving the Parliament*. Before the month was out, according to a letter of intelligence, the *Declaration* had been translated into Latin, printed, and sent — among other places — to the Emperor and the Electors of the Holy Roman Empire, doubtless to their considerable amazement.⁵⁵ Nor were the General and Council content with even this. On the same day that the third *Declaration* appeared, May 3, there was published what purported to be *A Letter written to a Gentleman in the Country touching the Dissolution of the late Parliament*. It was signed "N. LL." and its authorship has been attributed to both John Milton and John Hall, with the weight of the evidence — including the signature, which is obviously formed of the last letters of Hall's name — in favor of the latter. At any rate he seems to have been

⁵⁰ *Clarke Papers*, iii, 3-4. The appeal was granted on May 7, *Cal. S. P. Dom.* (1652-3), p. 312.

⁵¹ *Merc. Pol.*, May 5-12; John Nickolls, *Original Letters* (L., 1743), p. 90.

⁵² *Cal. S. P. Dom.* (1652-3), p. 300; *Perf. Diurn.*, May 9.

⁵³ *Clarke Papers*, iii, 3.

⁵⁴ Sold by Sotheby to Criddle in 1921 (*Autog. Prices Current*, v, 49); listed in Tregaskis' *Catalogue* no. 971 (1929).

⁵⁵ Letter of intelligence, May 27/June 6, 1653. Thurloe, i, 258.

paid for it, and a newsletter from London, declaring that "Hall . . . has written at Cromwell's order, in defence of his dissolution of Parliament, by way of a letter to an absent friend," is doubtless correct.⁵⁶ In such fashion did Cromwell recognize the importance of influencing public opinion through the press as Elizabeth had earlier "tuned the pulpits" to the same purpose.

Thus with appeals to the people, the formation of a new Council, assurance of support from officers and officials, promises of a "new representative" and a mass of administrative business, there passed the first fortnight of the new régime, with the Lord General accepted tacitly or openly as the head of the government. That government meanwhile was not settled and as usual the air was full of rumors of every description. The Royalists heard what they wished to hear, that the army, behind in its pay, was divided in its opinions; and the Welsh agitator, Rhys, or, as he preferred to call himself, Arise Evans, published a petition to Cromwell demanding that he declare for the King and threatening that unless he did, the army would do it without him. According to a somewhat dubious tale, the General replied with a promise to give the King's party still more cause to love him, but it was reported later, and far more probably, that he sent Evans to gaol for his presumption.⁵⁷ None the less, Royalists in London were said to find more favor than at any time in seven years, and not only had their party high, if misplaced, hopes in Lambert, through whom Buckingham was reported as endeavoring to make peace with the new government,⁵⁸ but also in Cromwell. News-writers were divided in their opinion as to what would happen. Some believed that the new administration would be a "Cromwellian dictatorship"; some that it would be a military triumvirate consisting of Cromwell, Harrison and Lambert; some that the struggle for control lay between Cromwell and Lambert, the latter being considered by many as the more popular of the two.⁵⁹ In line with the rising hopes of the Royalists, the Earl of Worcester took advantage of the situation to appeal to Cromwell for some indemnity for his sufferings at the hands of Parliament, but with small result beyond a Council order in the fol-

⁵⁶ Thomason, who bought it at the time, attributed it to Milton, as, with hesitation, did Milton's biographer, Masson. Firth, with more reason, followed the newsletter (Macray, ii, 212) and the signature. *Athenaeum*, Feb. 6, 1897. A discussion of the authorship, by P. S. Havens, is in the *Huntington Library Bulletin*, no. 6 (Nov. 1934). He offers convincing proof that Hall wrote it. See below, May 31, for payment to Hall for his services.

⁵⁷ Newsletters in Macray, ii, 204, 206, 208. In August "Merlinus" Evans was preparing a book criticizing the Nominated Parliament. Later he published a "Message from God to His Highness" supposed to have been written by a dumb woman, Elinor Channell.

⁵⁸ Newsletter, May 20, in Macray, ii, 208.

⁵⁹ Newsletter, May 13, *ibid.*, ii, 206.

lowing month for an allowance of three pounds a week for his support as a prisoner in the Tower.⁶⁰ Yet had those who hoped for dissensions among the leaders or in the army seen the letters addressed to the General commanding him and assuring him of support,⁶¹ they might have had a different conception of the place he occupied and would occupy in the state, for it was evident from them; whatever the position of Harrison and Lambert, that Cromwell was the man to whom the army and the mass of the Independents looked for leadership.

What was of far more importance than the optimism of the Royalists was the better grounded hope of the Dutch that the recent revolution meant peace, and they hastened to take advantage of the change in government. The indefatigable Venetian envoy reported that the Council had read with great satisfaction a letter from the States General suggesting negotiations in some neutral town between delegates from each nation.⁶² Though the Council rejected the proposal, it sent assurances that it would not press the offensive articles demanded by the English representatives in the previous negotiations,⁶³ but its preparations for war were not lessened on that account. Other envoys were hesitant about committing themselves until they were assured of the stability of the new government.⁶⁴ The Spanish ambassador was said to be disconcerted at the loss of his "pensioners," Vane, Marten and Challoner.⁶⁵ Only the four representatives of Bordeaux seem to have made definite appeals to the Council for aid against the French king,⁶⁶ and that move, it is obvious, went back to the previous connection with the General and his party.

Those envoys arrived on May 10, the day on which Cromwell's son Henry married Elizabeth Russell, daughter of the General's old friend of Eastern Association days, Colonel Francis Russell, now reputed to have "great influence among all the military."⁶⁷ Henry had come from Ireland more than a month earlier⁶⁸ and had been accorded the deference due to the son of the most powerful man in the state, to such a degree that, as the story goes, while he was strolling in Spring Garden, shouts — derisive or otherwise — were raised in the crowd of "Room

⁶⁰ *Cal. S. P. Dom.* (1652-3), pp. 330, 411, 454.

⁶¹ Examples are in newspapers of the time, and in Nickolls, *Original Letters*. See also Whitelocke, pp. 555, 557.

⁶² Paulucci to Sagredo, May 7/17, *Cal. S. P. Ven.* (1653-4), p. 72.

⁶³ Declaration of the Council of State, May 6, in Thurloe, i, 239. Council of State to the States General; in Aitzema, *Saken van Staet en Oorlogh*, iii (Hague, 1872), 812.

⁶⁴ Paulucci to Sagredo, May 13/23, *Cal. S. P. Ven.* (1653-4), p. 76.

⁶⁵ Bernardi's letter, Apr. 25/May 5. *Atti della Soc. Ligure di St. Patria*, xvi, 88.

⁶⁶ *Lettres du Cardinal Mazarin*, v (Paris, 1889), 623-4, 626. Barrière was also sent back from Brussels at once by Condé. *Ibid.*

⁶⁷ *Cal. S. P. Ven.* (1653-4), p. 78 and n.

⁶⁸ See a letter to Monk in *Cal. S. P. Dom.* (1652), p. 209, where it is dated Apr. 5, 1652, instead of 1653.

for the Prince!"⁶⁹ Meanwhile Henry was made use of by those who found it impossible to gain access to his father, among them Lord Conway's agent, Miles Woodshaw, who seems to have convinced him of the justice of the Conways' claim to their castle which they had long pressed; but though Henry spoke of it to his father, the General begged to be excused on account of "urgent business," and as late as May 12 had found no opportunity to consider it.⁷⁰ It is not surprising that he had not, and it is significant of the pressure on him at this time that whereas Lambert attended four-fifths of the meetings of the Council of State during the critical month of May, Cromwell found time to attend no more than half of them.⁷¹ For, in addition to the question of relations with the Dutch which now pressed for solution, both in warlike preparations and proposals for peace, public resentment at the delay in the settlement of the government began to express itself, and it was necessary to expedite the choice of the new representative.

THE NEW REPRESENTATIVE

In the midst of the maneuverings for position among the revolutionary leaders and perhaps as part of them, the plans for a new assembly were being laid and steps taken to put them into effect. It was generally agreed that while Lambert stood for a small council of ten or twelve and Harrison for a "Sanhedrim" of seventy godly men, Cromwell envisioned some kind of an assembly of Puritan notables. It was reported that Harrison's plan was gaining ground at the expense of the other two,⁷² but due to the letters of congratulation and promises of support which were pouring in on the General from Independent congregations everywhere, the result was still in doubt.

In their deliberations the leaders were aided by the long consideration of a new form of government which had begun with the discussions over the *Agreement of the People*, five years earlier. That document had included a minute and elaborate scheme for electoral and representative bodies, but it was obviously impossible to put it into effect at this juncture, nor was that the design of the officers. On one thing all the Independents were united and in accord with the *Agreement*. It was that no one who had not supported the Parliament should have a place in either electorate or assembly. On another — that the new assembly, whatever it was and whatever it was called, should be composed of "men of courage,

⁶⁹ Gardiner, *Comm. and Prot.*, ii, 279.

⁷⁰ Conway to [his son], *Cal. S. P. Dom.* (1652-3), p. 298; Woodshaw to Conway, *ibid.*, pp. 309, 324. By June 16 Henry Cromwell had delivered Lord Conway's letter to his father and hoped to get an answer at dinner that night (*ibid.*, p. 420).

⁷¹ *Ibid.*, attendance records.

⁷² Newsletter in *Eng. Hist. Rev.*, viii (1893), 529.

fearing God and hating covetousness" — they were in general accord. As to where "supreme power" should rest, it seems that they accepted the words of the *Agreement*, that "the Representative have . . . the supreme trust in order to the preservation and government of the whole . . . and the highest and final judgment concerning all natural or civil things, but not concerning things spiritual or ecclesiastical." This much was certain — the new body must contain only men of approved fidelity to the revolutionary cause, that is to say to those then in authority.

There remained, however, certain questions to be settled. The one was the number of such representatives, the other was the method of choosing them; and on those questions turned the differences of opinion among the men in whose hands the decision lay. It is evident from the summonses presently sent out by "myself and my council of officers," and from the assembly which responded to it, that the result of the discussions was in the nature of a compromise. Lambert's plan of a council was kept; Garrison's "Sanhedrim" was doubled in numbers; and the result approximated Cromwell's idea of an assembly of Puritan notables. But it seems no less evident that this was more or less unconscious and due rather to circumstances than to a deliberate plan. It is at least conceivable that the first idea was to choose a large council which should act as an electoral college to select the members from the names sent up by the congregations, and that this grew insensibly into the assembly itself.

With the issue of the last declaration of the General and Council on May 3, the preparations for the choice of the new representative began. The character of its members was implicit in the qualifications laid down. The new assembly must not contain any Catholics, Anglicans, "neuters" or Presbyterians, but only those "well affected to religion and the interest of the nation" as expressed in the existing domination of the revolutionary leaders. Such men obviously could be found only among the members of the "gathered" or "congregated" churches of whatever persuasion — Independents proper, Baptists, Quakers, Fifth Monarchists and lesser sects. The method of choosing such men had also been determined. Nominations were to be sent in by the civil and military authorities in Scotland and Ireland, and by the congregations in the cities and counties of England and Wales. From these Cromwell and his colleagues would choose the members; and though no letters seem to have survived requesting these local bodies to send in lists of their nominees, it is evident from various replies to the Lord General,⁷³ and from the event, that some such request accompanied the declarations.

The letters from the congregations represent the spirit of those who now sent up names to the Lord General and reveal something of the

⁷³ In Nickolls, *Original Letters*.

situation and of the character of the movement toward a new representative. They are naturally replete with the peculiar phraseology which every revolutionary movement, and not least that of the Puritans, contrives for itself. In this case it was the proud humility of a "chosen" group of a "chosen" race, now raised from insignificance to power. "From a small remnant of God's people . . . amongst many more of the despised members of the Lord Jesus" in Chester came assurance of support of "this new and marvellous dispensation of God's mercy toward the righteous."⁷⁴ "Oh! my Lord," wrote the men of Hereford, "what are you, that you should be the instrument to translate the nation from oppression to libertie, from the hands of corrupt persons to the saints? And who are we, that we should live to see these dayes, which our fathers longed to see, and reap the harvest of their hopes; to be lowe in our own eyes, when God raiseth us in a true testimonie of humility and uprightnes?"⁷⁵

Nor were the congregations unaided in their selections. A little later Harrison wrote to his friend Colonel John Jones, then in Dublin:

I presume Brother Powell acquainted you [with] our thoughts as to the persons most in them, to serve on behalfe [of] the Saints in North Wales; that wee propound three for the North, three for South Wales, Hugh Courtenay, John Browne, Richard Price, out of your parts; wherein I wish the help of yourself and others if wee have erred in the men, or to confirm us therein if approved by the most spirituall, or that you will send upp two or three names of the most polished, in case there bee cause of anie addition or alteration, though itt were by lott.⁷⁶

There is other evidence that those in charge did not hesitate to name men of their own choosing. A newsletter of May 7 notes that "They proceede in nominating persons in the severall counties to sitt as a Counsell . . . Mr. Strickland is sett downe for Yorkshire, Captain Howard for Cumberland, Colonel Fenwick for Northumberland, and so others for other counties."⁷⁷ Again on May 14 a news-writer observed that "His Excellency and severall officers of the army began this day to consider of 70 persons to bee selected to sitt as Counsell till a Representative bee chosen who shall elect them, and what the qualifications shall bee made concerning their eleccion."⁷⁸ A week later it was reported that "Major Generall Lambert, Commissary Generall Whally, Colonel Twisleton, and other officers of the army, being like to bee chosen, his Excellency desir'd the Councell to forbeare them, in regard that those that are soe chosen are to lay downe their commands in the army."⁷⁹

⁷⁴ *Ibid.*, p. 93.

⁷⁵ *Ibid.*, p. 92.

⁷⁶ C. H. Simpkinson, *Life of Thomas Harrison* (1905), p. 297.

⁷⁷ *Clarke Papers*, iii, 5.

⁷⁸ *Ibid.*, p. 6.

⁷⁹ *Ibid.*, p. 7.

Finally it is notable that it was specified that no "professed" lawyers were to be given seats, that the representatives were to be known, more or less like the Parliament which they replaced, as "Custodes Libertatis Reipublicae Anglicanae,"⁸⁰ and that the word "Parliament" was sedulously avoided.

Though there seems no evidence that returns were received from all the counties, this was of no particular importance in a proceeding which, unhampered by rule or precedent, offered the widest latitude in the selection of the members of a "nominated" as distinct from an elected Parliament. It has been said that the members were chosen in accordance with the taxes paid by the various districts,⁸¹ but that is at least doubtful. To take a few of the counties more or less at random, it appears that whereas Bedfordshire, Buckinghamshire and Hertfordshire each returned two members, their respective assessments in 1652 were £1600, £2200, and £2400; that Cornwall with four members had been assessed at £2800; Essex with five members, at £6000; and Yorkshire with eight members at £5333.⁸² The result proved, in fact, that as little account was taken of previous taxation as of previous representation. Fifteen counties were allotted two members each; nine were given three apiece; three, four; five, five; one — Devon — seven; one — Yorkshire — eight; and six were allowed but one member each; while Middlesex, including London, had ten representatives. Wales was allotted six members; Scotland five; and Ireland six. From every piece of evidence we have it is apparent that the principal — and natural — concern of those in whose hands the matter lay was to secure a body of "safe" men which could be counted on to support the existing régime, rather than hesitate over nice adjustments between population, wealth, taxation and representation. If the situation was to be saved, it must be by the "saints," whoever and wherever they were.

Pending the arrival of the names of the nominees for the new representative, the General and his colleagues busied themselves with details of administration; in dealing with various manifestations of the reaction to the dissolution; and with proposals for setting up another system of government. Of documents from his pen at this moment only two trifles seem to have been preserved. The first concerns Dr. Brian Walton's project of printing a Polyglot Bible, which the General not only encouraged at this time but later allowed the paper for the work to be brought in free of duty.⁸³

⁸⁰ Newsletter, Apr. 30, *ibid.*, p. 4.

⁸¹ Ranke, *Hist. of England . . . in the 17th Century* (1875), iii, 86.

⁸² Ordinance of December 1652. Firth and Rait, *Acts and Ordinances* (L., 1911), ii, 653-87.

⁸³ Lomas-Carlyle, App. 27, from Irwell's *Life of Pocock*.

Recommendation

I think fit that this work of printing the Bible in the original and other languages go on without any let or interruption.

May 16, 1653.

O. CROMWELL.⁸⁴

The second, which is addressed to the officer in active command of Deane's regiment,⁸⁵ is probably only one of many sent out at this time in an effort to straighten out the army accounts:

For Lieutenant-Colonel Mitchell

SIR,

You are desired with all expedition to prepare and send to the Committee for the Army an account of all moneys by you received upon their warrants between the fifteenth of January 1647 and the twentieth of October 1651, for the use of the Forces within the time aforesaid under your command, or for the use of any other Regiment, Troop or Company, by or for whom you were entrusted or appointed to receive any money.

And in case you cannot perfect your account, and send the same, as you are hereby directed, before the seventh of June next, you are desired by that time at the farthest to send in writing under your hand to the said Committee, what moneys by you received as aforesaid do remain in your hands.

Hereof you are not to fail.

Whitehall, 18th May, 1653.

OLIVER CROMWELL.⁸⁶

In the meantime the opinion of the country at large finally began to find expression in a variety of forms. While letters from the congregations poured in on the General approving his course, there were demonstrations of discontent in many quarters. The foreman of a manorial jury in Staffordshire gravely brought in a true bill of treason against Cromwell and his associates,⁸⁷ and among other manifestations of public sentiment one was of more than passing interest. On May 17 a "well turned-out gentleman" stepped out of a coach at the New Exchange in London and hung a portrait of Cromwell on one of the pillars. Above it was written "'Tis I"; on one side of it was an armorial bearing of a lion trampling on a crown; and below it, "*Heu de casillibus regis*" with the verses,

Ascend three Thrones, Great Captaine and Divine
In the will of God, oh Lyon, they are thine,
Come, Priest of God, bringe oyle, bringe Robes, bring Gould,
Bring Crownes and Septers; It's high time; unfould
Your Cloyster bagge; yo^r state chestes, least y^e Rodd

⁸⁴ Pr. with the petition to Cromwell in the *Annual Register*, xxxvi (1794), 373-4, from the commonplace book of John Dwight, secretary to Bishop Wallis.

⁸⁵ See *Cal. S. P. Dom.* (1651-2), pp. 352, 559.

⁸⁶ Lomas-Carlyle, App. 27, from *Pegge's MSS.* (in the College of Arms, London), vii, 425.

⁸⁷ Newsletter, May 20, Macray, ii, 208.

(Of steale and Iron) of this kinge of God,
 Pay you with wrath, with Interest, kneele and pray
 To Oliver that torch of Sion, starr of day:
 Shout merchants, Cittizens and Gentry Singe
 And all bare headed cry, God Blesse y^e Kinge.⁸⁸

After walking up and down two or three times to see the effect of his extraordinary act, the mysterious gentleman who had appeared from nowhere entered his coach and departed into nowhere again. Whether he hoped to arouse public sentiment for or against the Lord General or not, his act was soon followed by others. On May 20, several aldermen and Sheriff Estwick presented the General with a petition demanding the recall of Parliament;⁸⁹ and the result is described by a contemporary hand:

Speech to the Aldermen, May 20, 1653

Upon Fryday last [May 20] divers Aldermen and Sheriffe Estwick presented to yee L: Gen: to have ye Parliament called again, ye Gen: told them that what was done was done upon advice and debate before it was done, and it hath bin since debated, that he and ye officers of ye Army were well satisfyed in what was done, and that there had come noe complaints to them from ye people of what was done, that ye king's head was not taken off because he was kinge, nor ye Lords layd aside because Lords, neither was the Parliament dissolved because they were a parliament, but because they did not performe your trust; he told them that if any disturbance should hereafter arise about what was done that should occasion the spilling of blood, he should suspect them to be abbettors and promoters thereof; and therefore warned them to look to ye peace, and soe sent backe other wise men with this rattle.⁹⁰

Whatever the purpose of the unknown gentleman, the Government's retort to his act and the petition of the City authorities was prompt and conclusive. After dismissing the delegation from the City, the General went at once to the Council to lay the petition before them. That body, like the General, was quick to recognize the danger. Not only were the offending aldermen removed from office, but the guards about the City

⁸⁸ Manuscript sheet in Tanner MSS., lli, f. 13. Pr. somewhat differently in Z. Grey, *An Impartial Examination of the Fourth Volume of Mr. Daniel Neal's History of the Puritans* (L., 1739), App. p. 98, from a manuscript said to have once been Nalson's and then in the possession of Dr. Williams, president of St. John's College, Cambridge. See also Clarke Papers, iii, 6; Macray, ii, 208; Thurloe, i, 249.

⁸⁹ Pr. with the verse in *To His Excellency Oliver Cromwell . . . The Humble Representation of several aldermen and other citizens of London*. Copies are in the Inner Temple MSS. and Portland MSS. cal. in *Hist. MSS. Comm. Rept.* 11, App. vii, p. 248; and 14, App. ii, p. 200.

⁹⁰ From Tanner MSS., lli, f. 13. A similar account is in Clarke Papers, iii, 6. See also Paulucci to Sagredo, May 27/June 6, *Cal. S. P. Ven.* (1653-4), p. 81, and a newsletter in Macray, ii, 211.

were increased and the committees at Haberdashers' Hall and similar bodies were reorganized to strengthen the hold of the authorities on the capital and the country.⁹¹ At the same time, however, those authorities and their leader were cheered by the letters encouraging him to retain his hold on affairs,⁹² many of them suggesting that Cromwell take the title of King or Protector to assure orderly government. Preachers in Blackfriars and elsewhere urged the necessity of monarchy,⁹³ and a pamphlet entitled *The Army no Usurpers*⁹⁴ stressed divine authority for the rule of God-fearing men and urged Cromwell as best fitted to occupy the highest position in the state.

Cromwell's behavior at this critical moment in his fortunes and those of the Commonwealth was variously reported. Paulucci wrote that the General did not give any outward signs of his satisfaction at the situation and tried to silence all talk of his being crowned, believing that it was intended to injure him; that he answered all compliments with the greatest humility and as a private individual; and, so far from altering his style of living, made an even greater effort at affability and courtesy.⁹⁵ This was, it may be noted here as elsewhere in his career, his invariable practice, which was at wide variance from Lambert's ostentatious way of life and Harrison's somewhat flamboyant appearances in the public eye. In this, if in no other way, and there were many, he proved himself at least a better politician than the men who reputedly were his rivals for the first place in the state. On the other hand, one of Hyde's correspondents reported that the General listened with patience both to those who advised him to become King or Protector and to those who urged the restoration of Charles II, but added that though Cromwell was at pains to disavow responsibility for the execution of Charles I, he would probably never consent to the accession of his son. Another wrote that gossip had it that when walking in St. James's Park the General

⁹¹ *Cal. S. P. Dom.* (1652-3), p. 342.

⁹² Paulucci to Sagredo, May 20/30, *Cal. S. P. Ven.* (1653-4), p. 78. In the midst of these disturbances while the General was hearing the petition for a Parliament, a "great tryall" in the Upper Bench justified Cromwell's effort made on July 2, 1652 (see *supra*, ii, 567) to have Lord Craven's name omitted from the list of sequestrations. The defendant, Richard Faulkner, was found guilty of "corrupt, wilfull, false and malicious perjury" in his testimony against Lord Craven which had been responsible for the insertion of Craven's name in the Act of Sale of August, 1652. Craven petitioned Parliament in the following August for the erasure of his name from the Act but it was not until Cromwell became Protector that he was successful. *Perf. Diurn.*, May 16-23. Craven had lived abroad since before the wars and his alleged crime had been to sign a petition styling the Parliament "barbarous and inhumane rebels."

⁹³ Newsletter, May 20/30, Macray, ii, 207.

⁹⁴ London, May 20.

⁹⁵ Paulucci to Sagredo, May 20/30, May 27/June 6, *Cal. S. P. Ven.* (1653-4), pp. 78, 81.

reminded a man who neglected to remove his hat that Buckingham's had been knocked off on a similar occasion in Charles I's presence; and still another quotes — dubiously — Mrs. Cromwell as saying when she saw a portrait of Queen Christina of Sweden which had been presented to the General: "If I were gone, that were she that must be the woman."⁹⁶

Despite these gossipy and not wholly trustworthy tales, two things are evident as to Cromwell's position in this critical time. The one is that, though European opinion held him to be the dominant figure in the state, he was by no means a dictator; the second is that he walked warily. Secretary Nicholas was informed, indeed, that his authority depended largely on the interest of Harrison and Lambert,⁹⁷ and though this was unquestionably an exaggeration, it probably contains an element of truth. Paulucci reported that "although in the main everything" depended on Cromwell, he was "very cautious about proposing or vetoing for fear of being accused of too great presumption and of aspiring to absolute rule," the City in particular murmuring about military despotism.⁹⁸ The General was, as usual, refusing to commit himself, while striving in every way to gain and hold support from every quarter. In consequence rumors spread and multiplied and after their fashion contradicted themselves. It was reported that Harrison would have had all Cavaliers arrested and clapped in prison and would have carried the Council with him if Cromwell had not intervened.⁹⁹ On his part the Lord General was said to have remarked in private that the very name of King stank in his nostrils, yet gossip told of a crown and sceptre being made in Cheapside. Boys in the street sang profane ballads about Cromwell, while the Welsh fanatic Arise Evans, with his usual gift of rash prophecy, offered himself to be hanged if Charles were not back by winter.¹⁰⁰ Thus it seems evident that despite every appearance of confidence on the part of Cromwell and his colleagues, they were by no means as certain of the security of their position as they seemed.

Of Cromwell's share in the deliberations of the officers and the choice of representatives, as of so many other of his political activities, there is only presumptive evidence. It is not difficult to imagine what it was, but there is only one surviving document from his pen at this moment and that is insignificant.

Certificate

Being satisfied of the truth of the within written certificate, I do accordingly certify the same. Desiring the Justices of the Peace for the County of Hert-

⁹⁶ Newsletters, May 20, 27, in Macray, ii, 208, 212.

⁹⁷ *Nicholas Papers*, ii (L., 1892), 13.

⁹⁸ Paulucci to Sagredo, June 4/14, *Cal. S. P. Ven.* (1653-4), p. 85.

⁹⁹ Theodorus to Lord Conway, June 16, *Cal. S. P. Dom.* (1652-3), p. 419.

¹⁰⁰ Newsletter of June 3, Macray, ii, 217.

ford where as I am informed the said John Andrewe took up arms, to allow unto his widow a competent pension for the maintiture of herself and child according to the Statutes. Given under my hand and seal the 28th of May, 1653.

O. CROMWELL.¹⁰¹

THE DUTCH WAR AND THE NEW REPRESENTATIVE

As the end of May approached, beside the problem of choosing members for the new representative there came again into the foreground of the great affairs which pressed upon the government and the General the problem of the Dutch war. That found reflection in a letter of intelligence sent by him to the Generals-at-Sea expressing his belief that a naval engagement was imminent.¹⁰² That engagement had, in fact, taken place before his warning reached Dover. In the last days of May, Tromp had sailed for the English coast with the whole Dutch fleet, but had found Dover Roads and the Downs empty of ships. Forced by heavy fire from Dover Castle to retire to the Flemish coast, he had put to sea again and on June 2 came in sight of the English who had sailed to meet him from Yarmouth Roads, and the two fleets at once engaged off Gabbard Sands in one of the fiercest battles of the war.

Though Blake had not come up with his squadron, the English and Dutch fleets were nearly equal in strength. Monk and Deane had 105 vessels to Tromp's 104, and, thanks to the activity of Vane and his committee and to the negligence of the Dutch government, the English were better manned and armed. Sighting the enemy at dawn on June 2, the English commanders divided their fleet into three squadrons, the Dutch into somewhat smaller units, and each endeavored some kind of line formation. The action began by de Ruyter's attempt to weather Lawson's Blue squadron on the left of the English line, Deane and Monk in the *Resolution* coming up to support Lawson, and Tromp to support de Ruyter. At the very beginning of the battle Deane was killed by a cannon-shot but the English attack was not checked by that misfortune. Their heavier ships soon gained the weather-gage and bore down on the Dutch, and the fighting was so close and fierce that during the engagement Penn and Tromp in turn boarded each other's ships. Overpowered by the weight of the English guns and running short of ammunition, the Dutch withdrew toward evening, and the

¹⁰¹ Holograph orig. in Herts County Records. Facs. in *Middlesex and Herts Notes and Queries*, iii (1898), 17, where is noted another certificate with no date given. Orders to pay 20s. to the widow were issued July 11, 1653, and Jan. 9, 1653-4. *Herts Sessions Book*, iii, cal. in Wm. Le Hardy, *Herts Co. Records*, v (Hertford, 1928), 445, 450.

¹⁰² Received at Dover June 3 and sent in a shallop provided by Thomas Greene. *Cal. S. P. Dom.* (1652-3), p. 388. Cp. reply in Powell, *Letters of Robert Blake* (1937), p. 217; also in *Memorials of . . . Penn* (L., 1833), i, 493.

English fleet, joined during the night by Blake and his squadron, pursued Tromp who had sailed for the Dutch coast and fresh supplies. As he went, the wind shifted suddenly to the west, giving the English the advantage, and after a fierce struggle in which many of the Dutch ships were sunk or captured, Tromp was compelled to seek the shelter of the coast at Ostend and the next morning sailed into the Wielings.¹⁰³

The Dutch fleet was neither destroyed nor put out of commission, but the English victory left the Commonwealth in command of the sea for the time being, and the Dutch were forced to endure a blockade of their ports and almost complete suspension of their commerce. The Dutch commanders covered the government with reproaches at the superiority of the English armament, while the Commonwealth was freed from the threat of Dutch attack and was at liberty to proceed undisturbed in other affairs of state. These were many and important. General and Council were loaded with an incredible number of duties which had been performed by men now dismissed and for whom they could apparently find no trustworthy substitutes. But their main task was the selection of the assembly which was to have supreme power.¹⁰⁴ Though it was prepared to take the responsibility of choosing that body, the Council declined to commit itself further even as to the question of where it should sit, replying to a petition from the inhabitants of Westminster requesting that the new representative should assemble in the Parliament House, that it was not for the Council to determine where the "supreme power" should meet.¹⁰⁵

Another group of Londoners, disclaiming sympathy with the former petitioners, offered their support to Cromwell, resolving to adhere to him,¹⁰⁶ and on the same day that this offer was published, the Lord General sent out writs of summons to the hundred and thirty-nine men chosen by the Council for membership in the "new representative," the "Nominated" or as it was soon called the "Barebones Parliament."¹⁰⁷

¹⁰³ The account of the battle is from Blake's and Monk's letter, in *Perf. Diurn.*, June 6; W. L. Clowes, *Royal Navy*, ii (Boston & L., 1898), 185-91; and Gardiner, *Comm. and Prot.*, iii, 33-9. A list of losses on both sides is appended to the Generals' letter. Several accounts are in *Perf. Diurn.*, June 6-13; *Merc. Pol.*, June 2-9; *Sev. Proc.*, June 2-9; and in Thurloe, i, 277-9. Some 1200 Dutch prisoners were taken, many of whom were sent to Ely to help in draining the fen lands, but they refused to work (Bedford to Thurloe, July 18, *ibid.*, p. 358).

¹⁰⁴ *Cal. S. P. Dom.* (1652-3), *passim*.

¹⁰⁵ *Ibid.*, p. 349.

¹⁰⁶ *Perf. Diurn.*, May 30-June 6.

¹⁰⁷ A list of the members is printed in *The Names of the Members of Parliament*, etc. and repr. in *Somers Tracts*, 3rd Coll., ii, 59-65; *Parl. Hist.*, xx, 176-79; and in Dugdale, *Short View*, pp. 406-9. The same list with the politics of each member indicated is pr. in Gardiner, *Comm. and Prot.*, ii, 308n.-310n. It is possible that a summons was sent to Fairfax, who refused to serve, and probably Deane's name was in the original list but omitted before the summons was sent out.

And it is notable that the men so summoned were called to meet not in the Parliament House but in the Council Chamber at Whitehall, and the word "Parliament" as a description of the new assembly was avoided in the summons:

SUMMONS

To —————

FORASMUCH as, upon the dissolution of the late Parliament, it became necessary, that the peace, safety and good government of this Commonwealth should be provided for: And in order thereunto, divers persons fearing God,¹⁰⁸ and of approved fidelity and honesty, are, by myself with the advice of my Council of Officers, nominated; to whom the great charge and trust of so weighty affairs is to be committed: And having good assurance of your love to, and courage for, God and the interest of His Cause, and of the good of the people of this commonwealth:

I, Oliver Cromwell, Captain General and Commander-in-Chief of all the Armies and Forces raised and to be raised within this Commonwealth, do hereby summon and require You, ————— [being one of the Persons nominated] personally to be and appear at the Council-Chamber, commonly known or called by the name of the Council-Chamber in Whitchall, within the City of Westminster, upon the fourth day of July next ensuing the date hereof; Then and there to take upon you the said trust; unto which you are hereby called, and appointed to serve as a member for the county of —————. And hereof you are not to fail.

Given under my hand and seal the 6th day of June 1653.

OLIVER CROMWELL.¹⁰⁹

A newsletter of June 17 in Macray, ii, 219, says Cromwell "was moved to nominate his son Henry for the new representative but he refused, saying that he had not given the world sufficient testimony of his close walking with the Lord." Since Henry was a member of the Nominated Parliament and satisfied his father on the score objected to, it is possible that this writer confused Henry with his brother Richard Cromwell.

¹⁰⁸ Professor Firth adds "and hating covetousness" at this point in the summons (*Oliver Cromwell* (N. Y. & L., 1900), p. 329), but gives no authority.

¹⁰⁹ Lomas-Carlyle, ii, 269; *Cromwelliana*, pp. 125-6; *A Copy of the Letter from H. E. . . . sent to the members of Parliament*; Thurloe, i, 274-5 (to Col. Sydenham); Fellowes, *Hist. Sketches*, p. 237 (to Wm. West, Esq.); *Daily Gazetteer*, Nov. 6, 1736 (to Edw. Cludd, Esq. of Notts and said to be dated June 29, 1653); thence repr. in *Genileman's Magazine*, vi (1736), 653; copy pr. in *Perf. Diurn.* dated June 8; in *C.J.*, vii, 281, dated June 6; *Parl. Hist.*, xx, 151. The summons to Gervase Pigott, M.P. for Notts, is in *Lansdowne Ms.* 1236, f. 101, and has a note in Pigott's hand, "I rather chose to be made a sacrifice than to yeild obedience to these commands," with a comment by the antiquary E. Peck that the person who gave him the document assured him that Pigott wrote his note after the Restoration, "complying before as much as any body." (*Catalogue of the Lansdowne Manuscripts in the British Museum* (1819), pt. ii, pp. 297-8.) The summons to Sir A. A. Cooper, dated June 6, is in the Shaftesbury Papers, cal. in *33rd Rept. Deputy Keeper of Pub. Records*, App. p. 216. The summons to Praise-God Barebone is in *Interregnum State Papers*, xxxvii, 37, cal. in *Cal. S. P. Dom.* (1652-3),

If there were wanting any further assurance to foreign powers that the Lord General was the head of the government, the sending out of the summonses to the new representatives by him afforded them what seemed conclusive proof of that fact. Paris heard that it was called to crown Cromwell and many hoped that this was true.¹¹⁰ While the French ambassador Bordeaux sought and obtained audience with the Council of State to negotiate a treaty which would prevent England from giving aid to the rebellious city from which his title was derived,¹¹¹ Mazarin took occasion to send a message to the Lord General. Its contents are unknown, but it was almost certainly what is known as "a letter of compliment" and it drew from Cromwell an equally flattering and vague reply:

To His Eminence Monsieur Cardinal Mazarin

MONSIEUR,

I have been surprised to see that your Eminence has wished to think of a person so inconsiderable as I am, living in a way retired from the rest of the world. This honor has with much reason made such a strong impression on me that I feel myself obliged to be of service to your Eminence on all occasions; and as I shall consider myself happy to be able to reciprocate, I hope that M. de Bordeaux will facilitate the means to him who is, Monsieur,

Your Eminence's

Westminster,
June 9, 1653.

most humble servant,
O. CROMWELL.¹¹²

No less significant of Cromwell's position than such exchange of compliments, however, was the attitude of foreign princes and their agents. Among the latter the Portuguese ambassador, the Count of Peneguiaõ, who was then negotiating the final details of a trade treaty with the English authorities, was reported as having had several private conferences with the Lord General before presenting himself to the Council.¹¹³ Drafted earlier and agreed to just before the dissolution, that treaty im-

p. 386. There are probably many other copies of the summons extant but not published, one of which (to Jacob Caley) was in the Tangye Collection (Lomas-Carlyle, ii, 269).

¹¹⁰ Newsletter, Paris, June 13, Thurloe, i, 239.

¹¹¹ *Cal. S. P. Dom.* (1652-3), p. 348; *Cal. S. P. Ven.* (1653-4), pp. 59, 73, 80, 82, 92.

¹¹² French translation of the original is in the Archives du Ministère des Affaires Étrangères, Cor. Pol. Angleterre, vol. 61, f. 210. An English translation is in Guizot, *Cromwell* (Phila., 1854), ii, 372. Guizot says it is in reply to a flattering letter from Mazarin proposing a "reciprocation of useful friendship." The French translation of Cromwell's letter is calendared in *36th Rept. Deputy Keeper of Pub. Records*, App. I, p. 244, where it is said to be dated June 10th, but a photostat confirms June 9th as the date. Lomas-Carlyle, App. 27, prints both French and English; also in *Archæologia*, xxii, 25.

¹¹³ Paulucci to Sagredo, May 20/30, *Cal. S. P. Ven.* (1653-4), p. 76.

posed hard terms on the Portuguese, securing refueling and revictualling privileges and a maximum of 23% import duties on English goods. It was, in fact, too hard a bargain, for the ambassador complained that in being compelled to accede to every demand, he had been obliged to exceed his instructions, and his master, John IV, refused to ratify the treaty.¹¹⁴ The four deputies from Bordeaux who had brought credentials to the late Parliament and instructions to ask aid against Louis XIV were not received officially, since the body to which they were accredited was no longer in existence, but it was known that they had secretly conferred with Cromwell on several occasions.¹¹⁵ The Prince de Condé, who was said to have been seen drinking Cromwell's health in Antwerp as the "wisest, ablest and greatest commander in Europe,"¹¹⁶ had sent his representative, Barrière, from Brussels to confer with the Lord General,¹¹⁷ and it was reported from distant Ratisbon that Cromwell was "cryed up" by the German princes at their feasts as the most gallant man in the world.¹¹⁸ On his part the General kept himself free from entangling commitments to any foreign prince or power, and it was understood in London that aid would be promised Bordeaux only on the somewhat unlikely condition that the city be delivered to the English, in which case forty ships and five thousand soldiers would be sent to raise the blockade and siege of the place by the French king's forces.¹¹⁹ It was even reported that Barrière had promised to deliver Charles Stuart to Cromwell if he came that way.¹²⁰

While from every direction came expressions of regard and assurances of friendship for this new "Star of the North," the royal hangings and furniture were being recovered to fit out Whitehall for the occupancy of the members of the new assembly he had called.¹²¹ Every one of importance had rooms assigned to him there, in many cases in place of others turned out.¹²² To further secure their position and emphasize that of the Lord General, on June 10 Cromwell and the "Council of Officers" published a declaration ordering the continuance of the monthly assessment of £120,000 for the army and navy for six months,¹²³ and a copy of the declaration accompanied by Cromwell's letter was sent to the commissioners for the assessment throughout England. Of

¹¹⁴ Prestage, *Diplomatic Relations of Portugal with England* (Watford, 1925), pp. 129-31.

¹¹⁵ Paulucci to Sagredo, *ut supra*.

¹¹⁶ Nicholas to Hyde, May 19/29, *Nicholas Papers*, ii, 14.

¹¹⁷ *Lettres de Mazarin*, v, 623.

¹¹⁸ Thurloe, i, 366.

¹¹⁹ Theodorus to Lord Conway, May 19, *Cal. S. P. Dom.* (1652-3), p. 340.

¹²⁰ Macray, ii, 228.

¹²¹ Newsletter, June 3, in *ibid.*, p. 217.

¹²² A committee was appointed to make these arrangements. *Cal. S. P. Dom.* (1652-3), pp. 376-7, 394, 397, etc.

¹²³ Pub. in *Merc. Pol.* June 9-16, and separately.

these, two copies are noted as still in existence, one to Gloucester, the other to Chester, which may serve as examples of the whole:

For the Commissioners of the Monthly Assessments for the Army in the City of Chester

GENTS.

You will herewith receive a Declaration for the continuance of the Assessment at the present rates for six months from the 24th of June instant, wherein is set forth the pressing necessities for the doing thereof. In order to the prosecution of which business and of the trust we possess in you, You are hereby desired speedily to meet and cause the same to be put in execution, and to use your utmost care and diligence that the sums charged upon your county may be collected and paid by the time appointed, not doubting of your ready compliance herewith, I remain,

Gents,

Your loving friend,

Whitehall, 10th June 1653.

O. CROMWELL.¹²⁴

THE NEW GOVERNMENT

The news of the victory over the Dutch came at a most convenient time for the new government which was now getting under way. The rejoicings over the English success were tempered by the regrets over the loss of Deane. Cromwell mourned the death of his friend and follower, and accompanied by a minister he hastened to make a visit of condolence to Deane's widow. Meanwhile much encouraged by the victory, hopeful of the future, and taking occasion of the good news to renew the assessment, which, according to the Venetian envoy was not resented by the people,¹²⁵ on June 11 the General and his Council issued a declaration appointing June 23 as a day of thanksgiving.¹²⁶ This was sent to the officials throughout England accompanied by a letter ordering its dispersal, of which the order to Chester may serve as a pattern for all:

To the Mayor of the City and County of Chester: These

I desire that as soon as the Declarations herewith sent you shall come to

¹²⁴ Signed by Cromwell. In the Chester Corporation Records. Cal. in *Hist. MSS. Comm. Rept.* 8, App. I, p. 385, with the date 1652. The Town Hall copy of the Reports has been altered to "1653" to agree with what is evidently the correct date. The letter to Gloucester, which followed the same form, is in the Records of the Gloucester Corporation and is cal. in *Hist. MSS. Comm. Rept.* 12, App. IX, p. 508. Lomas-Carlyle, Suppl. 79. There are doubtless others which have not come to light.

¹²⁵ Paulucci to Sagredo, June 15/25, *Cal. S. P. Ven.* (1653-4), p. 89.

¹²⁶ Published June 12; pr. in *Perf. Diurn.*, June 13-20 and in *Merc. Pol.*, June 9-16. The Council of State and the Council of Officers were to have a joint celebration on June 23.

your hands, you will cause the same to be dispersed throughout your City and County with all care and expedition, and rest,

Cockpit,
11 June 1653.

Your loving friend,
O. CROMWELL.

These Post Haste for the special service of the State.¹²⁷

Despite the victory over the Dutch this was by no means the end of the war nor did it lessen the demands on the nation for its support. Besides the new assessment, the blockade of the Dutch ports necessitated more men, and recruiting for the navy was pushed forward. "Whole church-fulls," it was reported, were pressed for sea-service,¹²⁸ and the demand for money, men, ships and supplies seemed, if anything, greater than before. The Dutch were no less hard-pressed and each side recognized the need for peace, the General not least. As often happened there were unofficial steps taken toward that end. It was reported that on the evening of June 9, Lieutenant-Colonel Dolman, then in Dutch service, had a long interview with Cromwell on that subject, acting, as often before, as an intermediary. The conversation at the table turned, it was said, on the Cavaliers and their partiality for the Dutch. Cromwell's cousin — probably William Cromwell, brother of Colonel John Cromwell, then in Dutch service — spoke in their favor; Cornelius Holland against them;¹²⁹ while Dolman, who had been described a month earlier as "so great a changeling that he is the wonder and scorn of many" and for whom Cromwell had "no kindness at all,"¹³⁰ acted the neutral part of host.

For the moment nothing came of this underground negotiation, but while it went on, the new government and its head were confronted by an old opponent and an old problem. John Lilburne, for some time an exile in Bruges where he had consorted with many Royalists including John Bramhall, Bishop of Derry, and had boasted of his friendship with the Duke of Buckingham,¹³¹ now returned to England despite his wife's

¹²⁷ Signed by Cromwell. In the Chester Corporation Records and calendared in *Hist. MSS. Comm. Rept.* 8, App. I, p. 386. A similar one was sent to Sir Owen Wynn, Sheriff of Carnarvonshire. In National Library of Wales (*Cal. of Wynn Papers* (1926), no. 2024), with note that it and the packet of proclamations were received on Friday June 17 and dispersed the next day. On Jan. 16, 1655-6 Wynn was forced to use the fact of his having complied with this order as evidence of his loyalty when he was summoned as a delinquent before the Sequestration Committee (*ibid.*, no. 2096-8). He was immediately afterward made sheriff of Denbighshire.

¹²⁸ Newsletter, June 10, Macray, ii, 217.

¹²⁹ *Ibid.* See also intercepted letters in Thurloe, i, 313. On Sept. 9 William Cromwell wrote to Richard Bradshaw that he had been delayed on his way to Denmark on secret business and had been ordered by Cromwell to communicate with Bradshaw in Hamburg. Thurloe, i, 458-9.

¹³⁰ Newsletter, May 10, Macray, ii, 206.

¹³¹ Nicholas to Hyde, May 19/29, *Nicholas Papers*, ii, 13.

failure to secure a pass for him. Having spent several days in Calais with Buckingham, he sailed for home with the Duke's agent and "familiar," Colonel Leighton.¹³² Scarcely had he reached London when there appeared a new pamphlet from his pen, *The Banished Man's Suit for Protection*, which was addressed to Cromwell.¹³³ The Council replied to it with an order for his arrest, and on June 15 the Lord Mayor committed him to the custody of Sheriff Underwood, and he promptly found himself again a prisoner in Newgate.¹³⁴ With equal promptness he published a second address to Cromwell,¹³⁵ to which the Lord General merely answered that Lilburne would have a fair trial.¹³⁶ It was set for June 21 in the Upper Bench, and Lilburne's petitions were turned over to Attorney-General Prideaux.¹³⁷ On the day before it was to have been held, Lilburne published a third address to the Lord General,¹³⁸ and though Clarendon observes that Cromwell "could hear ill language and reproaches with less disturbance and concernment than any person in authority had ever done,"¹³⁹ even his patience was exhausted and Lilburne's license to print was revoked. Meanwhile "Freeborn John" petitioned for the postponement of the trial until the new representative met; his petition was signed by thousands of Londoners; and it was finally granted.¹⁴⁰

While the new government faced this situation in the capital, the negotiations for peace proceeded. At the moment that the battle off Gabbard Sands took place, the Dutch had been on the point of sending a mission to England for that purpose. Its composition revealed the division among the Dutch themselves. De Witt had proposed to send a Hollander; Zealand had insisted on being represented; and when West Friesland had secured representation on the delegation to see that no treaty should be signed which neglected the interests of the House of Orange or precluded a treaty with France, de Witt had added another representative from the province of Holland. The Grand Pensionary found himself in a difficult position both at home and abroad, between the supporters of the House of Orange and the republicans of Amsterdam, and confronted with the problem of keeping on good terms with

¹³² Theodorus to Conway, June 23, *Cal. S. P. Dom.* (1652-3), p. 436; Hyde to Wentworth, June 24/July 4, Macray, ii, 222.

¹³³ Pub. also in *Perf. Diurn.*, June 14; and *Merc. Pol.*, June 9-16.

¹³⁴ *Cal. S. P. Dom.* (1652-3), pp. 410, 415, 436. On June 18 the Lord Mayor made a visit to Cromwell. *Sev. Proc.*, June 16-23.

¹³⁵ Repr. in *Perf. Diurn.*, and *Merc. Pol.*

¹³⁶ *Faithful Scout*, cited in Gardiner, *Comm. and Prot.*, ii, 294-5.

¹³⁷ *Cal. S. P. Dom.* (1652-3), p. 423.

¹³⁸ Repr. in *Perf. Diurn.*, and *Merc. Pol.*

¹³⁹ Clarendon, *History*, xiv, 52.

¹⁴⁰ Dutch ambassadors to States General, Thurloe, i, 324.

both England and France. He regarded a treaty with the latter as secondary in importance to one with England, and he was bitterly opposed to sending an imposing delegation to London on the ground that the more conspicuous the negotiations the more discreditable would be a failure to effect a settlement. He had tried out the temper of the English authorities with unofficial envoys like Dolman, but the defeat of June 2, the consequent paralysis of business and the increase of unemployment made stronger measures necessary.

On the news of the defeat of their navy, therefore, the four Dutch deputies prepared to leave for England, and on June 17 the first of them, the Hollander Hieronymus van Beverning, arrived in London. He lost no time in sending notice of the peace mission and received instructions from the Master of Ceremonies as to the procedure to be followed. He rented a handsome house in Covent Garden, sent letters of credence to the Council of State and to the Lord General, and on Monday the 20th of June, without waiting for the arrival of his colleagues, he went to his first audience with Cromwell and the Council. To them he presented letters outlining the Dutch position as to articles of peace, diplomatically adding assurances of the States General's earnest desire for the conservation of Protestantism.¹⁴¹ That evening the other envoys arrived — the Hollander Nieupoort, the Zealander van de Perre, and Jongestal of West Friesland. Two days later an audience for all four was arranged; again a memorial was presented to the Council, but that body, hesitating to enter into any agreement before the meeting of the new representative, with noticeable coolness promised an early answer.¹⁴²

Nor was this the only excursion into diplomacy in these days when the summonses for the new assembly were being sent out. A few hours before Beverning arrived, the Master of Ceremonies, Fleming, had an interview with Cromwell concerning the request of the Venetian resident Paulucci for an audience to discuss the desire of his government to keep certain English ships in Venetian service and the question of rules of conduct for Englishmen in that service during encounters with Dutch ships. That request elicited an expression of surprise and annoyance that Venice should attempt to negotiate through a mere secretary. The Dutch, Fleming assured Paulucci, had considered England so weakened by the civil wars that she was no longer of consequence, but they had seen their error and were ready to acknowledge it. If Venice should see fit to accredit Paulucci as an envoy, and if England had idle ships and could see any advantage to herself in helping Venice against the bar-

¹⁴¹ Beverning's diary and letters to the Council, in H. Scheurleer, *Verbael Gehouden door de Heeren H. van Beverningh, W. Nieupoort, J. van de Perre, en A. P. Jongestal* (1725), pp. 7-11; Beverning to States General, June 24/July 4, 1653, in Thurloe, i, 315.

¹⁴² *Verbael*, pp. 12-14; Dutch deputies to States General, Thurloe, i, 316.

barians in the Levant, such help would be sent, for Cromwell had a very friendly feeling toward Venice and would be glad to co-operate. And while it may be that Paulucci's natural desire for advancement in rank may explain an emphasis on the question of Venetian representation greater than Cromwell intended, it is apparent that the new government was determined to assert its dignity and importance in the field of foreign affairs, which had been so neglected during the preceding decade.¹⁴³

Amid these negotiations with foreign powers, the Lord General was no less busy with affairs of the most diverse nature nearer home. Among other things he referred to the Council a letter from Lord Broghill in regard to a proposal to send some Irish children to England;¹⁴⁴ and the Council ordered him to send the engineer Joachim Hane to Inverness if he could be spared.¹⁴⁵ The pamphleteer Hall went to Cromwell to collect his pay for his *Letter written to a Gentleman in the Country*, in defence of the dissolution,¹⁴⁶ and his connection with the government is indicated by the fact that he presently received fifty pounds for his services for a half year.¹⁴⁷ The Board of Visitors to the University of Oxford met under Cromwell's commission and decided to act under that authority.¹⁴⁸ From every direction there came to the Lord General and his Council such problems, new and old, and it is apparent from these various items of business that affairs of state bore heavily on them, especially since his authority rested only on the army, without even the semblance of a Parliament. With the new representative summoned only in the name of the General, moreover, even that body and the Council had no settled status as a government save the personal ascendancy of Cromwell and the forces at his command. If it was difficult for foreign envoys to discover the proper persons and methods by which relations could be opened with this new and threatening force in European affairs, it was scarcely less difficult for its own officials. Yet, pending the meeting of the new representative, there was nothing for them to do but to press forward, for, as the French ambassador, Bordeaux, had intimated a few weeks before, even if the face of the kingdom had been changed and royalty succeeded by a republic, men went on, and had to go on, with their affairs and with their relations to each other and with foreign powers on some common basis of action.

¹⁴³ Paulucci to Sagredo, June 24/July 4, 1653, *Cal. S. P. Ven.* (1653-4), p. 92. See also Dutch deputies to States General, July 8/18, Thurloe, i, 338.

¹⁴⁴ *Cal. S. P. Dom.* (1652-3), p. 393. (June 8).

¹⁴⁵ *Ibid.*, p. 355. (May 27).

¹⁴⁶ Newsletter of May 27, *Clar. MSS.* (not mentioned in abstract in Macray, ii, 212).

¹⁴⁷ A warrant dated May 31, 1654, to Gualter Frost (signed by Cromwell) is in *Rawl. MSS. A 328*, f. 107.

¹⁴⁸ Wood, *Hist. and Antiquities of Oxford* (ed. Gutch, 1796), ii, 652-3.

IRELAND AND FOREIGN AFFAIRS

Of English interests two were conspicuous at this moment — the Irish situation and negotiations with foreign powers. Out of the one Cromwell and his associates hoped and planned to find means to meet the demands of their creditors, especially of the army. Out of the other they hoped, in spite of the difficulties occasioned by seizure of French ships and the conflict with the Dutch, to find recognition and support on the Continent. It was, then, to these problems, in the interval before the meeting of the new representative, that they addressed themselves; and of the two issues, for the moment that of Ireland and the debts of the Commonwealth were the most pressing. As the Venetian envoy wrote:

General Cromwell is studying every possible way to obtain popularity. Aware that many of the city companies and those of the provinces, besides a number of private individuals, are heavy creditors for loans made to the late parliament during the war and that in spite of repeated demands for payment they have never been able to get anything, he has now appointed a committee on purpose to enquire into the matter and have an estimate drawn up of each individual credit, to liquidate the entire debt by an allotment of land in Ireland. This arrangement seems to satisfy all parties. Aware also of the importance under existing circumstances of keeping the soldiers in a good temper, Cromwell has desired that all officers and men shall receive their arrears, thus attaching them to his service. They already eulogise his policy declaring that in four hours, so to speak, he has effected what was denied them for whole years by the late parliament.¹⁴⁹

In such wise was the question of the settlement of Irish lands bound up with the claims of the Commonwealth's creditors, especially those of the army and of the Irish Adventurers. If the Irish question was to be settled at all, this seemed a convenient time, apart from the pressure from the Commonwealth's creditors, for though there was still some resistance by scattered bands, the Irish war was virtually at an end and the English revolutionary leaders looked forward hopefully to the disposal of the remaining hostile elements and to the division of the spoils of conquest. Their first task after the collapse of organized resistance had been to get rid of its supporters, and before Cromwell had left Ireland that process had begun. Priests and soldiers had been allowed or compelled to leave the country in considerable numbers and it was reported that by July, 1653, some thirty or forty thousand soldiers, priests, boys and women had gone to Spain, Flanders, France and elsewhere on the continent. It was calculated that at least twenty thousand Irishmen had entered French service; and a High Court of Justice erected in Dublin by the commissioners had begun to try such leaders as had not submitted and could be apprehended. Among them the most

¹⁴⁹ Paulucci to Sagredo, June 15/25, *Cal. S. P. Ven.* (1653-4), p. 90.

important was that Sir Phelim O'Neill who had played a considerable part in Irish affairs since the rebellion of 1641, had long since been proclaimed a traitor and had been captured by Lord Caulfield whose brother's death was attributed to O'Neill. It is probable that O'Neill was offered his life if he would admit that the commission he claimed to have been given him by Charles I to organize an insurrection was genuine, but refusing this, he was executed. On the other hand there were many acquittals, among them that of Lord Muskerry, and the activities of the members of the court, while vigorous, seemed to bear out the claims of their superiors that they were not "men of blood."¹⁵⁰

On the other hand the authorities were bent on securing every possible advantage from the country now in their power. Between the emigration, the convictions and the various acts passed since 1642 for the reduction of the Irish rebels, there was a vast body of land, reckoned at 2,500,000 acres in the four provinces, available for distribution as the result of forfeitures and confiscation. According to the Act of Settlement it was proposed to assign these lands to the Adventurers, settle English colonists on them, establish a "Pale" between the Boyne and Barrow rivers, and hold the country by means of them and garrisons in the principal towns, much after the fashion of the Londonderry plantation established two generations earlier in Ulster. The commissioners were empowered to sequester the lands of delinquents, Papists, bishops and chapters of the Roman church, to exile such disturbing elements as they saw fit, and, since Connaught was excluded from the settlement, to transplant to that province such as escaped the gallows or deportation.

In this plan the Lord General, like his fellow Adventurers, was, of course, personally interested by virtue of the lands assigned to him for his earlier contribution, and scarcely less because he and his Council saw in this mass expropriation a means of satisfying the creditors of the Commonwealth. In consequence Methuselah Turner, a London linen-draper, and eight other persons were ordered to meet at Grocers' Hall on June 20, 1653, to plan a lottery to determine the claims of the Adventurers. Two days later the Irish commissioners were authorized to declare the war at an end and to administer the acts and ordinances relating to the forfeited lands, beginning with a survey of the property. From it they hoped to receive enough to meet the demands of the Adventurers, the army, and the other creditors of the government, and to pay £40,000 a year into the treasury. The plan did not, indeed, contemplate the "extirpation" of all the Irish, but to confine the confiscations in so far as possible to those persons of property who had taken part in opposition to the English, leaving the peasantry more or less undisturbed save for a change of masters. In such fashion began what has been called

¹⁵⁰ Bagwell, *Ireland under the Stuarts* (L., 1909), ii, 303ff. quoting Petty.

the "Cromwellian settlement of Ireland," though its official sanction awaited the meeting of the new representative.¹⁵¹

This matter having been set in motion, on June 22, naming Irish commissioners and judges to go on circuit, the Council asked the Commissioners of the Great Seal to attend the Council and bring the Seal with them, that the appointments might be passed;¹⁵² and from this the General and Council turned to join the City in celebrating the victory over the Dutch, which was held the following day and night.¹⁵³ In this celebration the foreign embassies vied with each other in their display of friendship, the honors of the fire-works going, it was said, to the Portuguese, despite the fact that their representatives were in mourning for the death of the Prince Royal. On the other hand the newly-arrived Dutch ambassadors were greatly annoyed at the display and the presentation to the General of verses derogatory to the States General.¹⁵⁴ And, among its other implications, this celebration gave fresh evidence of the re-entry of England into the circle of European interests. Whatever Continental rulers may have thought of the changes in the English government, it was apparent that this revolutionary power now injected into the European system was one to be feared and, if possible, conciliated.

Meanwhile as the members of the new representative began to come up to London in the last week of June, the General and his Council strove to clear up a mass of miscellaneous business in preparation for the opening of the assembly. On June 24, having settled £600 per annum on Deane's family, the General and Council attended the funeral of the Admiral, who was buried in state in Westminster Abbey.¹⁵⁵ Four days later there was issued an order by the Lord General and Council forbidding violence on the part of the fen-dwellers against the Adventurers in fen-lands, and a sub-committee was appointed to meet in Ely on July 20 to hear and pass on the grievances of the dispossessed commoners.¹⁵⁶ Finally as part of these more or less routine duties, on that same day bids were received for carrying the posts on conditions published earlier, specifying rates, routes and frequencies, and reserving the

¹⁵¹ Bagwell, *Ireland under the Stuarts*, ii, 303ff.; and Gardiner, *Comm. and Prot.*, iv, 87-92.

¹⁵² *Cal. S. P. Dom.* (1652-3), p. 429.

¹⁵³ *Perf. Diurn.*, June 23; *Merc. Pol.*, June 16-23; *Cal. S. P. Dom.* (1652-3), p. 436.

¹⁵⁴ Paulucci to Sagredo, June 15/25, *Cal. S. P. Ven.* (1653-4), p. 91.

¹⁵⁵ Thurloe, i, 316; Whitelocke, p. 559; *Cal. S. P. Ven.* (1653-4), p. 96.

¹⁵⁶ *Cal. S. P. Dom.* (1652-3), p. 447. Declaration pr. in *Perf. Diurn.*, June 29. According to a letter of Aug. 30, the constables made no effort to enforce this order. *Cal. S. P. Dom.* (1653-4), p. 115.

right of free carriage for mail sent by the General and other specified officials.¹⁵⁷

From these miscellaneous details of administration the General and his colleagues turned to the more important matter of negotiation with the Dutch. On June 29, four members of the Council met with the four Dutch representatives to deliver England's reply to the Dutch proposals.¹⁵⁸ The English could afford to be uncompromising and they took a position which boded ill for peace since they refused to open negotiations until the Dutch acknowledged that Tromp's attack on Blake off Folkestone had been uncalled-for and was responsible for the war. This insistence on an admission of "war-guilt," it was believed, was not a reflection of Cromwell's opinion, and he was sufficiently interested in peace to follow the Council's high demands by a private note to Nieupoort which suggested that Tromp might be dismissed for a time to smooth the way to negotiations. But to this adroit maneuver in the interests of peace he added that representatives from each country might be admitted to the governing body of the other and so carry out the old idea of a union, and he addressed the Dutch deputies in a strain which was far from conciliatory:

"You have appealed to the judgment of Heaven," he is reported to have said. "The Lord has declared against you. After the defeats you have undergone, your only resource is to associate yourselves with your formidable neighbour to work together for the propagation of the kingdom of Christ, and the deliverance of the people groaning under oppression."¹⁵⁹

His position in this matter was peculiarly characteristic of Cromwell's mental and emotional processes, combining as it did the practical details of politics and diplomacy and the messianic ideal of Protestant union and triumph over the forces of darkness and oppression as exemplified in the Roman Catholic church and powers. But his attitude was susceptible of other explanations. Diplomatic circles thought that the hopes of the envoys from Bordeaux rested on the belief that Cromwell must wage war abroad in order to maintain himself at home and that if peace were made with the Dutch, he would consider favorably an attack on France to employ his army and navy.¹⁶⁰ On their part the Dutch believed that

¹⁵⁷ *Cal. S. P. Dom.* (1652-3), v, 405, 448-51. On June 28, *Perf. Diurn.* notes that a petition from several thousand imprisoned debtors was received, which it published on June 29.

¹⁵⁸ Answer of Council of State in *Verbael*, pp. 21-22.

¹⁵⁹ Quoted in Sirtema de Grovenstijn, *Hist. des Luttes . . . entre le Puissances Maritimes*, etc. (Paris, 1851), i, 204, from Beverning's diary (Hague archives).

¹⁶⁰ Paulucci to Sagredo, June 24/July 4, *Cal. S. P. Ven.* (1653-4), p. 94. A newsletter of June 27, 1653, asserts that Cromwell would send an army to help Condé merely to keep it busy if he thought the Prince really aimed at liberty. (Thurloe, i, 320). About the same time a letter from Brussels reported that Cusack, agent from the Duke of Lorraine, would soon suggest to Cromwell that

the hard terms proposed to them were designed to establish the revolutionary government more firmly in the hearts of its countrymen,¹⁶¹ and despite their fear of offending him, they rejected his proposals. They were informed that in secret conference with Lambert and Harrison he had expressed his annoyance at this rejection and his suspicion that the embassy had been sent only to gain time for refitting the Dutch navy.¹⁶²

Under such conditions of mutual distrust the first serious effort to end the war naturally met with little success. Interest shifted to the meeting of the new representative, and the Council ended its preparations for that event by calling for reports from its committees, acting on petitions, reappointing the Committee for Indemnity, naming a postmaster, and clearing away a mass of such business in order to meet the new assembly with a comparatively clear record of accomplishment.¹⁶³

That accomplishment had been considerable. It was now some two months and a half since the General and his musketeers had dissolved the Parliament. Within that brief period the country had been appealed to, a provisional government set up, the Dutch defeated in another battle, negotiations for peace entered into, the settlement of the Irish question taken up, and a plan for a new representative formulated and put into execution — and all this achieved amid the routine business of administration. Under the guidance of the General and his Council not only had there been no outbreak against their authority at home, but England had begun to take her place in European affairs in a fashion virtually unknown since the days of Queen Elizabeth.

In all of this the Lord General had led the way. However he may have appeared to those nearest to him, to friend and foe outside of that circle at home and abroad, he seemed not only the guiding and directing force but the one man capable of handling the difficult and dangerous business of governing England. As in the dissolution of Parliament he had not only not shirked, he had courted responsibility, and it is evident that he had steadily and rapidly gained in stature in this critical period during which he had demonstrated his political as he had earlier proved his military capacity. Of all the revolutionary leaders he was the only one with the gift of phrase as well as the capacity for decision, and he had the longest and most varied experience in every department of public life, civil and military. As the time for the meeting of the new representative approached — that assembly which he had summoned in his own name — it seemed inevitable that he would be the man to whom

in return for money Lorraine would send all its forces against Holland by land while England assaulted by sea. Thurloe, i, 318, 332.

¹⁶¹ Thurloe, i, 325.

¹⁶² Verbael, pp. 84-5.

¹⁶³ Cal. S. P. Dom. (1652-3), *passim*; (1653-4), pp. 1-5; Perf. Diurn.,

the assembly and the country at large would look to guide its destinies, in default of a Stuart king, whose return at that moment was inconceivable. It remained, then, to see what effect the new representative would have upon his fortunes and those of his party and his country; whether he could direct its activities as he had directed those of the army and of his colleagues there and in the Council; and whether the revolutionary party could wield the power which it had won under his leadership.

CHAPTER II

THE BAREBONES PARLIAMENT

JULY 4—SEPTEMBER 1, 1653

By the first of July, 1653, all was in readiness for the long-awaited meeting of the “new representative.” Most of the “saints” nominated by the officials and congregations and approved by the officers had arrived. The Council Chamber had been prepared for their use, and without doubt the General and his colleagues had decided on the procedure of the first meeting and their part in it. The arrival of the representatives was accompanied by reports that the list had been revised, since some of those originally chosen had refused to serve while others had given cause for suspecting their loyalty and had been replaced. Lodgings had been made ready in Whitehall for many of the members; and with the principal officers of the army quartered there and at St. James’s, and the regiments stationed round about, the country had a view of the Puritan strength and could form some notion of its new assembly.

That representative bore out the predictions both of its friends and of its enemies. With the lists of nominees before them the officers had done what might have been expected. They chose themselves, their friends and followers. Then or thereafter every member of the General’s Council found a seat, and it seems probable that most of the Council of Officers were chosen. If one may judge by Harrison’s letter and five of the lists presented from the counties — those from Kent, Suffolk, Bedford, Norfolk and Gloucester — the officers had exercised their authority not only to select from the lists presented but to nominate others of their own choice. Of six men nominated from Suffolk, five were chosen but none added. Of five from Kent, three were accepted and two — Mayor Cullen of Dover and Lord Lisle — were added, though one of the men rejected was named for Yorkshire. Of the two candidates proposed by Bedford, one was taken, the other replaced by the Council’s nominee. All five Norfolk nominees were chosen but only two of the three suggested by Gloucester.¹ And it may be noted as a matter of curious interest that among the names of the signers of the letter from Bedford were those of John Bunyan, presumably the future author of *Pilgrim’s Progress*, and of John Gifford, probably that “holy Mr. Gifford,” sometime a Royalist officer and now the head of the little congregation to which Bunyan belonged.

¹ Nickolls, *Original Letters*, pp. 92, 94, 96, 124, 125.

In such a narrow and highly integrated circle as the Puritan party had become as the result of the close association of the preceding years, it seems probable that many if not most of the nominees were more or less well known to those who sat in judgment on them as candidates for the new assembly. The result of the officers' deliberations reveals something of the motives which dictated their selections. As was natural under the circumstances by which most of the revolutionary leaders had at one time or another held military office — or at least title — more than a third of the members chosen, some fifty-three in all, were so distinguished, despite Cromwell's wish that no soldiers on active duty be included. There was a handful of members accounted as "gentlemen," or persons of family, title and estate; two "lords," Lisle and Eure; and seven knights, Brownlow, Roberts, Pickering, Wolsey, Cooper, Hope and King, some of whom were baronets. The choices for London were for the most part aldermen who had followed the fortunes of Parliament — and of Cromwell. They included Tichborne, sometime lieutenant of the Tower; Henry Ireton's brother John; the East India Company magnate, Moyer; and John Langley, head of St. Paul's School and licenser of the press. The choices for Ireland were even easier. Four — Henry Cromwell, Hewson, Clark and King — were officers; Hutchinson was a Dublin alderman who had adhered to Parliament; and Gookin was an Irish Adventurer and Surveyor-General. Scotland was scarcely more difficult, though there the army was not so much in evidence. Of its representatives Hope and Lockhart were commissioners and Swinton, who was known as Cromwell's "right-hand man," like Jaffray, who was Keeper of the Great Seal and director of the chancellery, was a devoted follower of the Lord General.

It seems evident that the influence of Cromwell was paramount in these selections and it was no less apparent in other quarters. From Southampton were chosen Richard Cromwell's father-in-law, Major, and the man through whom Cromwell had negotiated the marriage, Colonel Norton, as two of the three members. From Cambridge came Thomas French, probably the mayor who had certified Cromwell's election to Parliament thirteen years earlier; from Chester, its governor Colonel Duckenfield. These, with others of like character elsewhere, showed that the officer and official class was strongly in evidence. All the familiar names were there — Lawrence, Pickering, Strickland, Jones, Stapley, Bennet, Wolsey, Fleetwood, Eyre, Carew, Monk, and the Puritan and Cromwellian head of Eton, Rous, who was to be Speaker. On the other hand the choices for the new assembly reveal great changes in the party since the death of the King. Of the regicides only seven now found seats, of the late Parliament only twenty-four; and it is notable that, though the membership of the two later Protectoral Parliaments was strikingly similar, of those now chosen less than

seventy ever sat again.² The majority of these were officers or officials or both; and this, it seems fair to assume, was roughly the strength of the Cromwellians proper in this "new representative." Wherever the influence of the Lord General can be traced they appear to have been men of some experience in war and administration, local or national whatever they may have lacked of skill in parliamentary affairs. Certainly, however much the Lord General's language and attitude may have served to conciliate the more extreme of his party, his following was far from the fanaticism attributed to the "new representative" by his enemies. It seems reasonable to conclude, therefore, that it was the group which looked to Harrison for leadership which gave the assembly its bad eminence in that direction, and that it was more especially from the congregations that there came what one Royalist newswriter describes as "tanners, wheelwrights and the meanest sort of mechanics," and another as "obscure persons, generally Anabaptistical and men of blood." It was this element which inspired the derision of the Royalists who later christened the new assembly after the member whose name lent itself so aptly to their purposes, Praisegod Barebones,⁴ the Puritan leather merchant of London.

Opinions regarding this new representative have varied widely, being in general more favorable the farther the writer was removed in time. The two leading contemporaries, Dugdale and Clarendon, are not far apart in their judgments, and, though Royalists, not unfair to the assembly. Of its members, "many," wrote Dugdale, "were Illiterate and of mean condition, divers Fanatick Sectaries, and of that kind the most busie and mischievous." "Yet," he continues, they were "here and there mixt with confiding men, and such whose Interest was firmly truste with Cromwells."⁵ Clarendon's view was much the same. He observes that while there were among them "some few of the quality and degree of gentlemen, and who had estates . . . credit and reputation . . . much the major part of them consisted of inferior persons, of no quality or name, artificers of the meanest trades, known only by their gifts in praying and preaching."⁶ More recent writers have been more favorable, describing the members as men of some class, station and property filled with a desire to do the best they could for their country, "Puritan notables," whose meeting represented "the high-water mark of Puritanism,"⁷ and, still more eulogistically, as "peers of nature whom . . .

² Fifty-three in 1654 and forty-five in 1656, thirty-seven of whom had sat in 1654.

³ Macray, ii, 219.

⁴ Also spelled Barebone, Barbone and Barbon.

⁵ Dugdale, *Short View*, p. 409.

⁶ Clarendon, *History*, xiv, 15.

⁷ Gardiner, *Comm. and Prot.*, ii, 340.

the living heart of England has since raised to the peerage, and means to keep them there . . . rather a distinguished Parliament.”⁸ It depends, as always in such cases, on which side of the shield one looks. The Barebones Parliament did, indeed, contain most of the small band of Puritan notables;⁹ it also held a large number of Puritan nonentities, conspicuous for their hortatory rather than their intellectual, social or statesmanlike qualities. The “new representative” if not composed of precisely what is called in modern phraseology the “right” and “left” wing groups of the revolutionary party, included both extremists and moderates, from the former of which, as is usual in such cases, the assembly derived its reputation if not its character. Many religious radicals made their first — and last — appearance on the national stage as members of this new representative. It has been noted that not half of its members found seats in the later Protectoral parliaments and it is at least conceivable that, among its other functions, this assembly enabled Cromwell to select from its members those most suited to his purposes in after years.

Apart from that, however, one thing emerges clearly from the choice of these men by the officers. It is that Cromwell was not yet entirely supreme in public affairs. It has been reckoned that there were eighty-four moderates and sixty radicals in the assembly,¹⁰ but that the natural enthusiasm of the latter party combined with the perhaps equally natural disinclination of the moderates to endure the wearisome debates made the actual balance of the two groups more equal than the mere numbers indicate. In any event the party of Harrison was strong, and it is not improbable that this body contained some who might have preferred Lambert to either Cromwell or Harrison as their leader. It was, then, to such a body that on a hot fourth of July, the Lord General appeared in the Council Chamber to make what was described as a “very grave and reasonable” speech,¹¹ delivered “in a grave and Christian-like manner, frequently weeping,”¹² as was his habit.

That speech was notable for many things, not the least of which was that it began with a long explanation and defence of the dissolution of the late Parliament, extending and supplementing the accounts already

⁸ Lomas-Carlyle, ii, 270–71.

⁹ It may be noted as an interesting comment that some thirty-eight of its members find mention in the *Dictionary of National Biography* — an unusually high proportion but not surprising in view of the fact that most of the revolutionary leaders were included.

¹⁰ Cp. Gardiner, *Comm. and Prot.*, ii, 308–10, quoting *A Catalogue of the Names of the Members of the Last Parliament*. It is notable that only three names of the list — Brodie, Martin and Walcott — cannot be found in any record of the proceedings.

¹¹ *Perf. Diurn.*, July 4.

¹² *Newsletter*, July 8, Macray, ii, 228.

given by the declarations of the General and his officers, as he said "for our own exoneration." It was even more than that, for it was a historical exposition of the events of more than twenty years. From that long exordium he turned to "lay a charge" on the members "as to the discharge of the trust which is incumbent on you" by "the exercise of the supreme authority," now entrusted to them. Infused with numerous quotations from Scripture, full of mystical allusion which was probably more familiar and agreeable to his audience than it would be to-day, he laid down various propositions for their guidance. His first admonition was for the promoting of the gospel and encouragement of the ministry, not omitting to declare for a 'true succession through the spirit' as against that derived from the Papacy. From that he ascended into exhortation which reflected more of his old spirit of praise and prayer in the meetings of the saints than of either his military or his political addresses of a later day. It was, in fact, not only a sermon, it was what was called a "message," emotional, eloquent, inspirational, till even he himself, as he neared the end of this extraordinary utterance, seems to have become conscious of its character as he confessed, "I may appear to be beyond my line; these things are dark." And so, having commended them to their "own thoughts and the guidance of God," he ordered the "Instrument," "which I have signed by the advice of the Council of Officers," to be read. Then with some final words after its reading, he explained that, in the disturbed situation of affairs and pending the meeting of this assembly, he had set up a Council of State and exercised "that power that, I thought, was devolved upon me," which he now, in turn, devolved upon them.

*Speech to the Nominated Parliament,
July 4, 1653*

July 4th, 1653. This being the day appointed by the Letters of Summons from his Excellency [the] Lord General, for the meeting of the persons called to the supreme authority, there came about 120 of them to the Council Chamber in Whitehall. After each person had given in a ticket of his name, they all entered the room, and sat down in chairs appointed for them, round about the table. Then his Excellency the Lord General, standing by the window opposite to the middle of the table, and as many of the officers of the army as the room could well contain, some on his right hand and others on his left, and about him, made the following speech to the assembly.¹³

Gentlemen,

I suppose the summons that hath been instrumental to bring you hither gives you well to understand the occasion of your being here. Howbeit, I have something to impart to you, which is an Instrument drawn up by the consent and advice of the principal officers of the army; which is a little (as we conceive) more significant than the letter of summons. We have that here to

¹³ *Parl. Hist.*, xx, 152.

tender you; and somewhat likewise to say farther for our own exoneration;¹⁴ which we hope may be somewhat farther to your satisfaction. Therefore seeing you sit here somewhat uneasily by reason of the scantness of the room, and heat of the weather, I shall contract myself with respect thereunto.

We have not thought it amiss a little to mind you of the series of Providences wherein the Lord hath appeared, dispensing wonderful things to these nations from the beginning of our troubles to this very day.

If I should look much backward, I might remind you of the state of affairs as they were before the Short, and that which was the last, Parliament, — in what posture the affairs of this nation stood: but they do so well, I presume, occur to all your memories and knowledge, that I shall not need to look so far backward. Nor yet to the beginning of those hostile occasions that were between the King that was, and the then Parliament. And indeed should I begin much later, those things that would fall very necessarily before you, would rather be fit for a History than for a verbal discourse at this present.

But thus far we may look back. You very well know, after divers turnings of affairs, it pleased God, much about the midst of this war, to winnow (if I may so say) the forces of this nation;¹⁵ and to put them into the hands of other men of other principles than those that did engage at the first. By what ways and means that was brought about, would ask more time than is allotted me to mind you of [it]. Indeed there are stories that do recite those transactions, and give you narratives of matters of fact: but those things wherein the life and power of them lay; those strange windings and turnings of Providence; those very great appearances of God, in crossing and thwarting the purposes of men, that He might raise up a poor and contemptible company of men, neither versed in military affairs, nor having much natural propensity to them, even through the owning of a principle of godliness and of religion; which so soon as it came to be owned, and the state of affairs put upon the foot of that account,¹⁶ how God blessed them, [furthering] all undertakings, by his using of the most improbable and the most contemptible and despicable means (for that we shall ever own): you very well know.

What the several successes and issues have been, is not fit to mention at this time neither; though I confess I thought to have enlarged myself upon that subject; forasmuch as considering the works of God, and the operations of His hands, is a principal part of our duty; and a great encouragement to the strengthening of our hands and of our faith, for that which is behind¹⁷ those marvellous dispensations which have been given us. Among other ends that's a principal end, which ought to be minded by us.

In this revolution of affairs, as the issue of those successes that God was pleased to give to this army, and [to] the authority that then stood, there were very great things brought about; — besides those dints that came upon the nations and places where the war itself was, even in civil affairs: to the bringing offenders to justice, even the greatest; to the bringing the state of this

¹⁴ Carlyle's suggestion that "exoneration" does not here mean "excuse" or "shifting-away of blame," but mere laying down of office with due form, is doubtful.

¹⁵ Self-denying Ordinance (1645).

¹⁶ On that footing.

¹⁷ Still to come.

government to the name (at least) of a Commonwealth; the searching and sifting of all places and persons; the King removed, and brought to justice; and many great ones with him; the House of Peers laid aside; the House of Commons itself, the representative of the people of England, sifted, winnowed, and brought to a handful, as you very well remember.

And truly God would not rest there, — for by the way, although it be fit for us to ascribe¹⁸ our failings and miscarriages to ourselves, yet the gloriousness of the work may well be attributed to God Himself, and may be called His strange work; you may remember well that at the change of government there was not an end of our troubles, although in that year were such high things transacted as indeed made it to be the most memorable year (I mean the year 1648) that ever this nation saw; so many insurrections, invasions, secret designs, open and public attempts, quashed in so short a time, and this by the very signal appearance of God Himself, which, I hope, we shall never forget. You know also, as I said before, that, as the effect of that memorable year of 1648 was to lay the foundations of bringing offenders to punishment, so it was of the change of government: — although it be true if we had time to speak, the carriages of some in trust, in most eminent trust, which were such as would have frustrated us of the hopes of all our undertakings, had not God miraculously appeared, — I mean by the closure of the treaty that was endeavoured with the King; whereby they would have put into his hands all that we had engaged for, and our security should have only been in a little paper! That thing going off, you very well know how it kept this nation still in broils at sea and land. And yet what God wrought in Ireland and Scotland you likewise know; until He had finished all the troubles, upon the matter,¹⁹ by His marvellous salvation wrought at Worcester.

I confess to you I am very much troubled in my own spirit that the necessity of affairs requires I should be so short in those things; because as I told you, this is the leanest part of the transactions, the lowest historical narration of them; there being in very particular, whether in taking off the King, the House of Peers, the pulling down of the Bishops, changing the government, there is not any of these things, thus removed and reformed, but there is a remarkable print of Providence set upon it, so that he who runs may read it. I am sorry I have not opportunity to be more particular in these things, which I principally designed, this day; thereby to stir up your hearts and mine to gratitude and confidence.

I shall now begin a little to remember to you the passages that have been transacted since Worcester. From whence, coming with the rest of my fellow officers and soldiers, we expected, and had some reasonable confidence that our expectations should not be frustrated, that, having such an history to look back unto, such a God, so eminently visible, even our enemies confessing that God Himself was certainly engaged against them, else they should never have been disappointed in every engagement. For that may be said (by the way) had we miscarried but once, where had we been? I say we did think, and had some reasonable confidence that coming up then, the mercies God had shown, and the expectations which were upon our hearts, and the hearts of all good men,

¹⁸ “intitle” in orig.

¹⁹ Means “so to speak,” a common phrase of those times.

would have prompted those who were in authority to have done those good things which might, by honest men, have been judged fit for such a God, and worthy of such mercies; and indeed a discharge of duty from those for whom all these mercies had been shown, for the true interest of this nation. If I should now labour to be particular in enumerating how some businesses that have been transacted from that time to the dissolution of the late Parliament, indeed I should be upon a theme which would be troublesome to myself. For I think I may say for myself and my fellow officers, that we have rather desired and studied healing and prospicency, that to rake into sores and to look backward,— to render things in those colours that would not be very pleasing to any good eye to look upon. Only this we shall say for our own vindication, and as thereby laying some foundation for the making evident the necessity and duty that was incumbent upon us, to make this last great change — I think it will not be amiss to offer a word or two to that. As I said before, we are loath to rake into businesses, were there not a necessity so to do.

Indeed we may say without commanding ourselves that, ever since the coming-up of myself and those gentlemen who have been engaged in the military part, it hath been full in our hearts and thoughts, to desire and use all the fair and lawful means we could have had the nation reap the fruit of all the blood and treasure that had been spent in this cause: and we have had many desires, and thirstings in our spirits, to find out ways and means wherein we might be anywise instrumental to help it forward. We were very tender, for a long time, so much as to petition — till August last, or thereabouts, we never offered to petition. For some of the officers being members; and others having very good acquaintance with, and some relations to, divers members of Parliament; we did, from time to time, solicit them; thinking if there should be nobody else to prompt them, nor call upon them, these solicitations would have been listened to, out of ingenuity²⁰ and integrity in them that had opportunity to have answered our expectations.

Truly when we saw nothing would be done, we did, as we thought according to our duty, a little, to remind them by a petition; which I suppose you have seen: it was delivered, as I remember, either in July or August last. What effect that had, is likewise very well known. The truth is, we had no return at all for our satisfaction, — a few words given us; the things presented to them, or the most of them, we were told, were under consideration: and those that were not had very little consideration at all. Finding the people dissatisfied in every corner of the nation, and laying at our doors the non-performance of these things, which had been promised, and were of duty to be performed, — truly we did then think ourselves concerned, if we would (as becomes honest men) keep up the reputation of honest men in the world. And therefore we, divers times, endeavoured to obtain meetings with divers members of Parliament; — and we did not begin those till about October last. And in these meetings we did, with all faithfulness and sincerity, beseech them that they would be mindful of their duty to God and men, in the discharge of the trust reposed in them. I believe (as there are many gentlemen here know) we had at least ten or twelve meetings; most humbly begging and beseeching of them, that by their own means they would bring forth those good things that

²⁰ Ingenuousness.

had been promised and expected; that so it might appear they did not do them by any suggestion from the army, but from their own ingenuity: so tender were we to preserve them in the reputation and opinion of the people to the uttermost. Having had very many of those meetings, and declaring plainly that the issue would be the displeasure and judgment of God, the dissatisfaction of the people, the putting of things into a confusion, yet how little we prevailed, we very well know, and we believe it's not unknown to you.

At last, when indeed we saw that things would not be laid to heart, we had a very serious consideration among ourselves what other ways to have recourse unto; and when we grew to more closer considerations, then they ²¹ began to take the Act for a Representative to heart, and seemed exceeding willing to put it on. And had it been done with integrity, there could nothing have happened more welcome to our judgments than that. But plainly the intention was, not to give the people right of choice (it would have been but a seeming right); the seeming to give the people was intended only to recruit the House, the better to perpetuate themselves; and truly, having been, divers of us, spoken to give way hereunto, to which we made perpetual aversions, indeed abominating the thoughts of it,—we declared our judgments against it, and our dissatisfaction. And yet they that would not hear of a representative before, when it lay three years before them, without proceeding in one line, or making any considerable progress in it,—I say, those that would not hear of this Bill before, when they saw us falling into more close considerations, then instead of protracting the Bill, did make as much preposterous haste on the other hand, and run into that extremity.

Finding that this spirit was not according to God; and that the whole weight of this cause,—which must needs be very dear unto us who had so often adventured our lives for it, and we believe it was so to you,—did hang upon this business; and when we saw plainly that there was not so much as any consideration to assert it or provide security for it, but to cross the troublesome people of the army, who by this time were high enough in their displeasures: truly, I say, when we that had the power in our hands, saw that to let the business go to such an issue as this was to throw back the cause into the hands of them we first fought with, we came to this first conclusion amongst ourselves, That if we had been fought out of our liberties and rights, necessity would have taught us patience; but to have them taken from us so unworthily would render us the basest people in the world, and worthy to be accounted traitors to God and man. When it pleased God to lay this close to our hearts; and we found that the interest of His people was grown cheap and not laid to heart, but that if we came to real competition, the cause, even among themselves, would also in everything go to the ground: indeed this did add more considerations to us, that there was a duty incumbent upon us. And, I speak here, in the presence of some that were at the close consultations—I may say as before the Lord,—the thinking of an act of violence was to us worse than any engagement that ever we were in, or that could be, to the utmost hazard of our lives: so unwilling were we, even very tender and desirous if it were possible, that these men might have quit their places with honour.

I am the longer upon this; because it hath been in our own hearts and

²¹ The Parliament men.

consciences, justifying us, and hath never yet been imparted thoroughly to the nation; and we had rather begin with you than have done it before; and do think indeed that this transaction is more proper for a verbal communication than to have put it into writing. I doubt, he whose pen is most gentle in England, to have carried on that, would, whether he would or no, have been tempted to dip it deep in anger and wrath. But affairs being at this posture, that we saw plainly, even in some critical things, that the cause of the people of God was a despised thing; truly we did believe then that the hands of other men must be the hands to be used for the work. And we thought then, it was very high time to look about us, and to be sensible of our duty.

If, I say, I should take up your time to tell you what instances we have to satisfy our judgments and consciences that these are not vain imaginations, nor things fictitious, but that fell within the compass of our own certain knowledge, it would bring me, I say, to the things I would avoid, to rake into these things too much. Only this. If anybody were in competition for any place of real and signal trust, how hard and difficult a thing it was to get anything to be carried without making parties, without things indeed unworthy of a Parliament! And when things must be carried so in a supreme authority, indeed I think it is not as it ought to be, to say no worse. But when we came to other trials, as in that case of Wales,²² which, I must confess for my own part, I set myself upon; if I should relate²³ what discountenance that business of the poor people of God there had (who had men²⁴ watching over them like so many wolves, ready to catch the lamb as soon as it was brought out into the world); how signally they trod that business under foot [in the Parliament] to the discountenancing of the honest people, and the countenancing of the malignant party, of this Commonwealth, I need but say it was so. For many of you know and by sad experience have felt it to be so. Some[body] I hope will, at leisure, better impart to you the state of this business,²⁵ which really, to myself and officers, was as plain a trial of their²⁶ spirits, as anything — it being known to many of us that God did kindle a seed there indeed hardly to be paralleled since the primitive times.

I would these had been all the instances; but finding which way the spirits of men went, and finding that good was never intended to the people of God, — I mean, when I say the people of God, the large comprehension of them, under the several forms of godliness in this nation; when we saw, I say, that all tenderness was forgotten to the good people (though it was by their hands and their means, by the blessing of God, that they sat where they did) and affairs (not to speak it boastingly) had been instrumentally brought to that issue they were brought to, by the hands of those poor creatures,²⁷ we thought this very evil requital. I will not say, that they were at the uttermost pitch of reformation,²⁸ although I could say that in one thing, the Reformation of the

²² Of establishing a preaching ministry in Wales.

²³ "Inform" in orig.

²⁴ Clergymen so-called.

²⁵ Of Wales.

²⁶ The Parliament's.

²⁷ Beginning with "and affairs" omitted in Milton's *State Papers* and in Carlyle.

²⁸ Meaning "to an utter inability of working reformation."

law, so much groaned under in the posture it now is in. It was a thing we had many good words spoken for; but we know that many months together were not enough pass over one word, called "Incumbrances." I say, finding that this was the spirit and complexion of men, although these were faults that no man should lift up his hand against the superior magistrate for; [not] simply for these faults and failings — yet when we saw their intendment was to perpetuate themselves and men of this spirit, for some had it from their own mouths, from their own designs, who could not endure to hear of being dissolved: we thought this was an high breach of trust. If they had been a Parliament never violence was upon,²⁹ sitting as clear and free as ever any sat in England, yet if they would go about to perpetuate themselves, we did think this be so high a breach of trust, as greater could not be.

And we did not go by guess in this. And that we might not be in doubt in this matter; having had that conference among ourselves which I have given you an account of, we did desire once more — and indeed it was the night before the dissolution; it had been desired two or three nights before: we did desire that we might speak with some of the principal persons of the House, that we might with ingenuity open our hearts to them; to the end that we might be either convinced of the certainty of their principles and intentions to the good of the nation, or if we could not be convinced, that they would be pleased to hear our offer or expedients to prevent these inconveniences. And indeed we could not attain our desires until the night before the dissolution. There is a touch of this in our declaration.³⁰ As I said before, at that time we had often desired it, and at that time we obtained it: where about twenty of them were who were members, not of the least [in] consideration for [their] interest and ability; with whom we desired to discourse upon these things; and had it. And it pleased these gentlemen, who are here, the officers of the army, to desire me to offer their sense to them, which I did, and it was shortly carried thus: We told them that the reason of our desire to wait upon them was that we might know from them, what security lay in the way of their proceeding so hastily for their new representative; wherein they had made a few qualifications, such as they were: and how the whole business should be executed: of which we had no account, which we desired them to give us, for we thought we had an interest in our lives, estates and families, as well as the honest³¹ people of the nation, and that we might be bold to ask satisfaction in that and if they did proceed in honest ways, as might be safe to the nation we might acquiesce therein. When we pressed them to give satisfaction in this, the answer was, that nothing would do good for this nation but the continuance of this Parliament. We wondered we should have such a return. We said little to that: but, seeing they would not give us satisfaction that their ways were honourable and safe we desired them to give us leave to make our objections. We then told them that the way they were going in would be impracticable; we could not tell them how it would be brought to pass, to send out an Act of Parliament into the Country, with such qualifications [as] to be a rule for electors and elected and not to know who should execute this; desiring

²⁹ Had no Pride's Purge, Apprentice-riot, or the like, ever come upon them.

³⁰ Of April 22nd (*supra*).

³¹ "Worst" in pamphlet.

to know whether the next Parliament were not like to consist of all Presbyterians? Whether those qualifications would hinder them or neuters. And though it be our desire to value and esteem persons of that judgment; only, they having as we know deserted this cause and interest upon the king's account, and on that closure between them and the neighbour nation, we do think we must confess we had as good have delivered up our cause into the hands of any as into the hands of interested and biased men; for it is one thing to live friendly and brotherly, to bear with a love a person of another judgment in religion; another thing to have any so far set into the saddle upon that account as that it should be in them to have all the rest of their brethren at mercy.

Truly, gentlemen, having had this discourse concerning the impracticability of the thing, of bringing in Neuters, or such as should impose upon their brethren, or such as had given testimony to the King's party; and objecting to the danger of it, in drawing the concourse of all people to arraign every individual person, which indeed did fall obvious to us that the power would be put into the hands of men that had very little affection to this cause: the answer again was made, and that by very eminent persons, that nothing would save the nation but the continuance of this Parliament. This being so, we humbly proposed, — when neither our counsels, objections to their proceedings, nor their answers to justify them, did give us satisfaction; nor did we think they ever intended to give any, as some of them have since declared, — when, I say, we saw this, we proposed to them our expedient, which was indeed to desire, that the government being in that condition it was, and the things being under so much ill sense abroad and so likely to come to confusion in every respect if it went on, so we desired they would devolve the trust over to persons of honour and integrity that were well known, men well affected to religion and the interest of the nation; which, we told them had been no new thing when these nations had been under the like hurly-burly and distractions. And it was confessed by them, it had been no new thing.³² And we had been labouring to get precedents to convince them of it; and we told them that these things we offered out of the deep sense we had of the good of the nations and the cause of Christ. And being answered so, as I told you, that nothing would save this nation but the continuance of that Parliament, — although they would not say the *perpetuating* of it, at that time; yet finding their endeavours did directly tend that way, — for they gave us this answer, that the thing we offered was of a very high nature and of tender consideration, for how should money be raised? — and made some other objections. We told them; and we offered an expedient five times better than that, which no reason was given of, nor could be. We desired them to lay the thing seriously to heart. They told us they would take consideration of these things till the morning, that they would sleep upon them and consult with some friends; though, as I said, there was about twenty there, and not above fifty-three in the House. At the parting two or three of the chief ones, and very chiefest of them did tell us that they would endeavour to suspend farther proceedings about the bill for a new representative until they had a further conference.

³² A Nominated Parliament was summoned by writ on Jan. 14, 1553, six months before the death of Edward VI.

And upon this we had great satisfaction, and we did acquiesce, and had hope, if our expedient would receive a loving debate, that the next day we should have some such issue thereof as would have given satisfaction to all.

They went away late at night; and the next morning, we considering how to order that which we had farther to offer to them in the evening, word was brought they were proceeding with a Representative, with all the eagerness they could. We did not believe persons of such quality could do it. A second and a third messenger told us they had almost finished it, and had brought it to that issue, with that haste as had never been known before; leaving out all things relating to the due exercise of the qualifications; and, as we have heard since, resolved to pass it only in paper, without engrossing it, for the quicker despatch of it. Thus, as we apprehended, would have been thrown away the liberties of the nation into the hands of those who had never fought for it. And upon this we thought it our duty not to suffer. And upon this the House was dissolved even when the Speaker was going to put the last question.

I have too much troubled you with this, but we have made this relation, that you might know that that which hath been done in the dissolution of the Parliament was as necessary to be done as the preservation of this cause. And that necessity which led us to do that, hath brought us to this issue, of exercising an extraordinary way and course to draw yourselves together upon this account, that you are men who know the Lord, and have made observations of his marvellous dispensations; and may be trusted, as far as men may be trusted, with this cause.

It remains now for me to acquaint you farther with that which relates to your taking upon you this business that is contained in this paper in my hand, which will be offered presently to you to read. Having done that that we have done upon this ground of necessity which we have declared, which was not a feigned necessity but real, to the end that the government might not be at a loss; to the end that we might manifest to the world the singleness of our hearts and our integrity, who did these things, not to grasp after the power ourselves, to keep it in military hands, no not for a day; but, as far as God enabled us with strength and ability, to put it into the hands of those that might be called from the several parts of the nation. This necessity, I say, and I hope we may say for ourselves, this integrity of labouring to divest the sword of the power and Authority in the civil administration, hath moved us to conclude this course;⁸⁸ and having done this, truly we think we cannot, with the discharge of our own consciences, but offer somewhat to you, as I said before, for our own exoneration. It hath been the practice of others who have, voluntarily and out of a sense of duty, divested themselves of power, and devolved the government into the hands of others; I say, it hath been the practice of those that have done so; it hath been practised, and is very consonant to reason together with the authority to lay a charge (in such a way as I hope we do), and to press to the duty: [concerning] which we have a word or two to offer you.

Truly God hath called you to this work by, I think, as wonderful providences as ever passed upon the sons of men in so short a time. And truly I think, taking the argument of necessity, for the government must not fall;

⁸⁸ To summon this Parliament.

taking the appearance of the hand of God in this thing, I am sure you would have been loath it should have been resigned into the hands of wicked men and enemies. I am sure God would not have it so. It comes, therefore, to you by the way of necessity, by the way of the wise Providence of God, though through weak hands. And therefore, I think, coming through our hands, though such as we are, it may not be ill taken if we do offer somewhat (as I said before) as to the discharge of the trust which is incumbent upon you. And although I seem to speak of that which may have the face and interpretation of a charge, it's a very humble one: and if he that means to be a servant to you, who hath now called you to the exercise of the supreme authority, discharge that which he conceives to be a duty to you, I hope you will take it in good part.

And truly I shall not hold you long in it; because I hope it is written in your hearts to approve yourselves to God. This Scripture I shall remember to you, which hath been much upon my spirit, *Hosea*, xi, 12, "Judah yet ruleth with God, and is faithful among the Saints." It is said before, that "Ephraim did compass God about with lies and the house of Israel with deceit." How God hath been compassed about by fastings and thanksgivings, and other exercises and transactions, I think we have all cause to lament. Truly you are called by God to rule with Him, and for Him. And you are called to be faithful with the Saints, who have been somewhat instrumental to your call. "He that ruleth over men," the Scripture³⁴ saith, "must be just, ruling in the fear of God."

And, truly, it is better that we should pray for you than counsel you in that matter, that you may exercise the judgment of mercy and truth. I say, it is better that we should pray for you than to advise you; to ask wisdom from Heaven for you, which I am confident many thousands of saints do this day, and have done, and will do, through the permission of God and His assistance. I say it is better to pray than advise. Only truly I thought of another Scripture which is very useful, though it seems to be for a common application to every man as a Christian, wherein he is counselled to ask wisdom;³⁵ and he is told what that wisdom is that is from above; it is "pure, peaceable, gentle, easy to be entreated, full of good fruits, without partiality, without hypocrisy." And my thoughts run much upon this, that to the execution of judgment (the judgment of truth, for that is the judgment) you must have wisdom from above; and that is pure. That will teach you to exercise the judgment of truth; it is without partiality. Purity, impartiality, sincerity: these are the effects of wisdom, and these will help you to execute the judgment of truth. And then if God give you hearts to be easy to be entreated, to be peaceably spirited, to be full of good fruits, bearing good fruits to the nation, to men as men, to the people of God, to all in their several stations, this wisdom will teach you to execute the judgment of mercy and truth. And I have little more to say to this. I shall rather bend my prayers for you in that behalf, as I said; and many others will.

³⁴ *II Samuel*, xxi, 3.

³⁵ "But the Wisdom that is from Above is first pure, then peaceable, gentle and easy to be entreated; full of mercy and good fruits, without partiality, and without hypocrisy. And the fruit of righteousness is sown in peace of them that make peace." (*James*, iii, 17, 18.)

Truly the judgment of truth will teach you to be as just towards an unbeliever as towards a believer; and it is our duty to do so. I confess I have often said, foolishly, I had rather miscarry to a believer than to an unbeliever.³⁶ This may seem a paradox: — but let's take heed of doing that which is evil to either! If God fill your hearts with such a spirit as Moses had, and as Paul had, which was not a spirit for believers only, but for the whole people! Moses, he could die for them; wish himself blotted out of God's book: Paul could wish himself accursed for his countrymen after the flesh, so full of affection were their spirits unto all. And truly this would help you to execute the judgment of truth, and of mercy also.

A second thing is, To desire you would be faithful with Saints; to be touched with them. And I hope, whatever others may think, it may be a matter to us all of rejoicing to have our hearts touched (to speak with reverence) as Christ, being full of the spirit, was touched with our infirmities, that He might be merciful. So should we be; [we should] be pitiful. I think this Assembly thus called is very much troubled with the common infirmity of the saints, and I hope that will teach you to pity others, that so saints of one sort may not be our interest, that we have respect unto all, though of different judgments. And if I did seem to speak anything that might seem to reflect upon those of the Presbyterian judgment, I think if you have not an interest of love for them you will hardly answer this of faithfulness to the Saints.

In my pilgrimage, and in some exercises I have had abroad, I did read that Scripture often in forty-first of *Isaiah*, 19; when God gave me, and some of my fellows, encouragement what He would do there and elsewhere, which he performed for us. And what would he do? To what end? He said, He would plant in the wilderness the cedar, the shittah tree, and the myrtle and the oil-tree; and He would set in the desert the fir-tree, and the pine-tree, and the box-tree together. For what end will the Lord do all this? That they may see, and know, and consider, and understand together that the hand of the Lord hath done this and the Holy One of Israel hath created it; that He hath wrought all the salutations and deliverances we have received. For what end! To see, and know, and understand together, that He hath done and wrought all this for the good of the whole flock. Therefore, I beseech you (but I think I need not) have a care of the whole flock! Love the sheep, love the lambs; love all, tender all, cherish and countenance all, in all things that are good. And if the poorest Christian, the most mistaken Christian shall desire to live peaceably and quietly under you, — I say, if any shall desire but to lead a life of godliness and honesty, let him be protected.

I think I need not advise, much less press you, to endeavour the Promoting of the Gospel; to encourage the Ministry; such a Ministry and such Ministers as be faithful in the land; upon whom the true character is. Men that have truly received the Spirit for such a use, which Christians will be able to discern, and do; men that have received gifts from him, that ascended on high and led captivity captive, for the work before mentioned. And truly the Apostle,

³⁶ Do wrong to a good than to a bad man. The text in *Milton* is "before a believer." If this is correct, Cromwell's meaning would be, "I would rather be seen doing wrong by a believer," etc. But the next sentence seems to evidence that the latter is not the sentiment he intended to convey.

speaking in another place, in the twelfth of the *Romans*, when he has summed up all the mercies of God, and the goodness of God; and discoursed of the foundations of the Gospel, and of those things that are the subject of those first eleven chapters, after he hath besought them to offer up their souls and bodies a living sacrifice to God, he beseecheth them not to esteem more highly of themselves than they ought, but that they would be humble and sober-minded, and not stretch themselves beyond their line, but they would have a care to those that had received gifts to these uses there mentioned. I speak not, — I thank God it is far from my heart, — for a Ministry deriving itself from the Papacy, and pretending to that which is so much insisted on, “succession.” The true succession is through the Spirit, given in that measure that the Spirit is given, and that is a right succession. But I need not discourse of these things to you; I am persuaded you are taught of God, in a greater measure than myself, concerning these things.

Indeed I have but one word more to say to you; though in that perhaps I shall show my weakness; it is by way of encouragement to you to go on in this work. And give me leave to begin thus. I confess I never looked to see such a day as this, — it may be nor you neither, — when Jesus Christ should be so owned as He is, at this day, and in this work. Jesus Christ is owned this day by your call; and you own Him by your willingness to appear for Him; and you manifest this, as far as poor creatures can, to be the day of the power of Christ. I know you well remember that Scripture, in *Psalm cx, 3*, “The people shall be willing in the day of thy power.” God doth manifest it be a day of the power of Christ; having, through so much blood, and so much trial as hath been upon this, made this to be one of the great issues thereof, to have a people called to the supreme authority upon an avowed account. God hath owned his Son by this, and you by your willingness do own Jesus Christ. And therefore, for my part, I confess I did never look to see such a day. Perhaps you are not known by face one to another; indeed I am confident you are strangers, coming from all parts of the nation as you do: but we shall tell you that indeed we have not allowed ourselves in the choice of one person in whom we had not this good hope, that there was love; that there was faith in Jesus Christ, and love towards His people and saints.

Thus God hath owned you in the eyes of the world; and thus, by your coming hither have you owned him, as it is in *Isaiah xliii, 21*. It is an high expression, and look to your own hearts whether, now or hereafter, God shall apply it to you: “This people,” saith God, “I have formed for Myself, that they may show forth my praise.” It is a memorable place,⁸⁷ and I hope not unfitly applied. God apply it to each of your hearts! I shall not descant upon the words; they are plain. You are as like the forming of God as ever people were. If any man should ask you one by one, and should tender a book to you,⁸⁸ you would dare to swear that neither directly nor indirectly did you seek to come hither. You have been passive in coming hither; being *called*, — and that’s an active work. This people have I formed: consider the circumstances by which you are called hither, through what difficulties, through what strivings, through what blood you are come hither, — where neither you nor

⁸⁷ Passage.

⁸⁸ To swear upon.

I, nor no man living, three months ago, had a thought to have seen such a company taking upon them, or rather being called to take, the supreme authority of this nation. Therefore, own your call! Indeed, I think it may be truly said that never was there a supreme authority consisting of so numerous a body as you are, which I believe are above 140, who were ever in the supreme authority, under such a notion, in such a way of owning God, and being owned by Him. And therefore I may say also, never a people so formed, for such a purpose, so called, — if it were a time to compare your standing with those that have been called by the suffrages of the people. Who can tell how soon God may fit the people for such a thing, and none can desire it more than I! Would all the Lord's people were prophets. I would all were fit to be called, and fit to call. It ought to be the longing of our hearts to see men brought to own the interest of Jesus Christ. And give me leave to say that, if I know anything in the world, what is there more like to win the people to the interest of Jesus Christ, to the love of godliness (nay what stronger duty lies upon you, being thus called), but an humble and godly conversation? So that they may see you love them; [that] you lay out yourselves, time and spirits, for them! Is not this the likeliest way to bring them to their liberties? And do not you, by this, put it upon God to find out times and seasons for it by pouring forth his Spirit? At least by convincing them that, as men fearing God have fought them out of their thralldom and bondage under the regal power, so men fearing God do now rule them in the fear of God, and take care to administer good unto them. But this is some digression. I say, own your call; for indeed it is marvellous and it is of God, and it hath been unprojected, unthought of by you and us. And indeed it hath been the way God hath dealt with us all along, to keep things from our eyes, that in what we have acted we have seen nothing before us; which is also a witness in some measure to our integrity. I say, you are called with a high call. And why should we be afraid to say or think, that this may be the door to usher in the things that God has promised; which have been prophesied of; which He has set the hearts of His people to wait for and expect? We know who they are that shall war with the lamb, against his enemies; they shall be a people called, and chosen and faithful. And God hath, in a military way — we may speak it without flattering ourselves, and I believe you know it — He hath appeared with them and for them; and now in these civil powers and authorities does not He appear? These are not ill prognostications of that good we wait for. Indeed I do think something is at the door: we are at the threshold; and therefore it becomes us to lift up our heads, and encourage ourselves in the Lord. And we have some of us thought, That it is our duty to endeavour this way; not vainly to look at that prophecy in Daniel, "and the kingdom shall not be delivered to another people." Truly God hath brought this to your hands; by the owning of your call; blessing the military power. The Lord hath directed their hearts to be instrumental to call you; and to set it upon our hearts to deliver over the power to another people. But I may appear to be beyond my line; these things are dark. But, I thank God I have my hopes exercised in these things, and so I am persuaded are yours.

Truly, seeing things are thus, that you are at the edge of the promises and prophecies — at least, if there were neither promise nor prophecy, yet you covet the best things, you are endeavouring after the best things; and, as I

have said elsewhere, if I were to choose any servant, the meanest officer for the Army or the Commonwealth, I would choose a godly man that hath principles, especially where a trust is to be committed, because I know where to have a man that hath principles. I believe if any man of you should choose a servant, you would do so. And I would all our magistrates were so chosen:—this may be done; there may be good effects of this! It is our duty to choose men that fear the Lord, and will praise the Lord, yea, such as the Lord forms for Himself, and he expects not praises from others.

This being so, truly it puts me in mind of another Scripture, that famous Psalm, sixty-eighth; which indeed is a glorious prophecy, I am persuaded, of the Gospel churches,—it may be, of the Jews also. There it prophesies that He will bring His people again from the depths of the sea, as once He led Israel through the Red Sea. And it may be, as some think, God will bring the Jews home to their station from the isles of the sea, and answer their expectations as from the depths of the sea. But, sure I am, when the Lord shall set up the glory of the Gospel Church, it shall be a gathering [of] people as out of deep waters, out of the multitude of waters: such are his people, drawn out of the multitudes of the nations and people of this world. And truly that Psalm is very glorious in many others parts of it: “when He gave the word, great was the company of them that published it. Kings of armies did flee apace, and they that tarried at home divided the spoil. And although ye have lain among the pots, yet shall ye be as the wings of a dove, covered with silver, and her feathers with yellow gold.” And indeed the triumph of that Psalm is exceeding high and great, and God is accomplishing it. And for the close of it,—that closeth with my heart and I am persuaded with yours also, “The Lord shakes the hills and mountains, and they reel.” And God hath a hill too; “and his hill is as the hill of Bashan, and the chariots of God are twenty thousand of Angels,” and God will dwell upon this hill forever!

Truly, I am sorry I have troubled you, in such a place of heat as this is, so long. All I have to say, in my own name, and that of my fellow officers who have joined with me in this work, is: that we shall commend you to the grace of God, to the guidance of His Spirit. Having thus far served you, or rather our Lord Jesus Christ in it, we are as we hope, and shall be, ready in our stations, according as the Providence of God shall lead us, to be subservient to the work of God, and to that authority which we shall reckon God hath set over us. And though we have no formal thing to present you with, to which the hands, or visible expressions, of the officers and soldiers of the three nations of England, Scotland and Ireland are set; yet we may say for them, and we may say also with confidence for our brethren at sea, hath there been any artifice used to persuade their consents to this work,—yet we can say that their consents and affections have flowed in to us from all parts, beyond our expectations: and we are confident we may say with all confidence, that we have had their approbation and full consent unsought indeed to the other work, so that you have their hearts and affections unto this. And not only theirs, but we have very many papers from the Churches of Christ throughout the nation; wonderfully both approving what hath been done in removing obstacles and approving what we have done in this very thing. And having said this, we shall trouble you no more. But if you will be pleased that this Instrument may

be read to you, which I have signed by the advice of the Council of Officers, — we shall then leave you to your own thoughts and the guidance of God; to dispose of yourselves for a farther meeting, as you shall see cause.³⁹

Here the Instrument was read.

I have only this to say further. That the affairs of this nation laying on our hands to be taken care of; and knowing that both the affairs at sea, the armies in Ireland and Scotland, and the providing of things for the preventing of inconveniences, and the answering of all emergencies, did require that there should be no interruption, but that care ought to be taken for these things; and foreseeing likewise that before you could digest yourselves into such a method as you may think best, both for place, time and other circumstances, in the way you shall purpose to proceed in, would ask some time, — which the Commonwealth would not bear in respect of the managing of things: I have, within a week, set up a Council of State, to whom the managing of affairs is committed. Who, I may say, very voluntarily and freely, before they see how the issue of things would be, engaged themselves in [the] business; eight or nine of them being members of the House that late was. I say I did exercise that power that, I thought, was devolved upon me at that time; to the end that affairs might not have any interval. And now when you are met, it will ask some time for the settling of your affairs and your way. And, a day cannot be lost, but they must be in continual council till such time as you shall take farther order. So that the whole matter of their considerations are also at your disposal, as you shall see cause. And therefore I thought it my duty to acquaint you with thus much, that you may not be distracted in your way: that things have been thus ordered; that your affairs will go on, till you see cause to alter this Council; they having no authority, nor longer to sit, than until you shall take order.⁴⁰

The "Instrument" which the Lord General had signed, as he said, by the advice of his Council and which he now had read to the assembly,

³⁹ Report in the pamphlets and in *Parl. Hist.*, xx, 153–75, ends here. The conclusion is in *ibid.*, xxiii, 160.

⁴⁰ In *ibid.*, xx, 152–75, copied "from the original edition, printed by W. Du Gard and H. Hills," which, because with slight emendations it is identical with it, is probably the pamphlet, *The Lord General Cromwell's Speech . . . Published for information and to prevent mistakes* (1654). A slightly different version is to be found among Milton's official papers and printed in Nickolls, *Original Letters*, pp. 106–14. Carlyle and Stainer used both texts, but Carlyle used Milton as his basis while Stainer used the pamphlet. The speech is in *Harleian Miscellany* (1810), vi, 331–44, with a text identical with that in *Parl. Hist.* In *Old South Leaflets*, no. 28, is repr. the Dutch edition, *Oliver Cromwell's Korte Catechismus* (Amst. 1653). Notices of the speech are in *Perf. Diurn.*; *Merc. Pol.*; *Faithful Post*; Whitelocke, p. 559; Thurloe, i, 338; *C.J.*, vii, 281; *Clarke Papers*, iii, 8. Because Carlyle felt that to make it intelligible he had to add so much of his own that was in neither report, and because in many places Stainer's report of this speech is unintelligible, it has seemed better to collate the two reports, making no attempt to follow either one more closely than the other. In the very few cases when neither text was quite adequate, words have been added in brackets. Mrs. Lomas, in her edition of Carlyle, pointed out many of the discrepancies in the two texts, but by no means all of them. The explanatory footnotes to the text are largely from Lomas-Carlyle.

was, in effect, merely a document which "devolved" whatever authority he had on the new representative. Its importance lies chiefly in the assumption of his right to wield and to dispose of that authority as he saw fit; and there is perhaps no better proof of the acceptance of his ascendancy in civil as in military affairs than the fact that his assumption of authority was thus recognized both in its exercise and in its renunciation, at least by his own party. That was further confirmed and the importance of this document emphasized by the fact that when some five months later the Nominated Parliament came to dissolve itself, it rendered back to him the authority which it now received. The document itself seems to have disappeared but its substance may be gathered from the summary reported in the news-sheets:

INSTRUMENT

[His speech] being ended, his Lordship produced an Instrument under his own hand and seal, whereby he did with the advice of his Officers, devolve and intrust the Supreme Authority and Government of this Commonwealth into the hands of the persons then met, who, or any fourty of them, are to be held and acknowledged the Supreme Authority of the Nation; unto whom all persons within the same, and the territories thereunto belonging, are to yield obedience and subjection. And they are not to sit longer than the third of November, 1654. Three months before their dissolution, they are to make choyce of other persons to succeed them, who are not to sit longer than a Twelvemonth, but it is left to them to take care for a succession in Government. Which Instrument being deliver'd to the persons aforesaid, his Lordship commended them to the grace of God.⁴¹

Such were the circumstances of the first effort to establish a new order of, by, and in large measure for, the "Saints," as the first informal meeting of their representatives came to an end with a vote to hold its next session in St. Stephen's Chapel. Though it was not yet described by the name of "Parliament" whose meeting-place it thus adopted, it tacitly assumed the position and powers of that body.⁴² On the next morning it met in the old Parliament House where, after several hours of prayer, it chose the venerable Provost of Eton, Francis Rous, as Speaker and invited Cromwell, Harrison, Lambert, Desborough and Tomlinson to sit as members.⁴³ At its next meeting it voted to style itself a Parliament, and presently decided that "no person shall be employed or admitted into the service of the House but such as this House shall be first satisfied of his real Godliness."⁴⁴ In such fashion, zealous, inexperienced, full of the spirit of reform and a determination to bring about a new order in

⁴¹ *Merc. Pol.*, June 30—July 7, 1653.

⁴² Cp. H. A. Glass, *Barbone Parliament* (L., 1899), where is noted a print of the assembly in the Br. Mus., print collection.

⁴³ *Perf. Diurn.*, July 5.

⁴⁴ *C. J.*, vii, 282.

church and state, the Nominated or Barebones Parliament entered on its task with no other mandate than that of the congregations, the army, and especially the Lord General. As to Cromwell's own position, its meeting added to his popularity, and though his speech and attitude did much to allay the rumors that he proposed to be crowned, it was reported that "apart from one of those changes to which all sublunary things are subject," he would do and be whatever he pleased.⁴⁵ Meanwhile the hope of business recovery and of progress in peace negotiations with Portugal and the Netherlands rose,⁴⁶ and whatever the doubts and fears of the new representative, its supporters and even some of its critics hoped, that it might contribute to the settlement of the kingdom.

Its first activities were directed toward the completion and regularization of the new government. The Lord General was waited on by a committee which formally requested his attendance in the House,⁴⁷ and on July 7 it was voted to send a delegation to inform him of his election to the Council of State, though the other members were not confirmed until two days later.⁴⁸ That Council, it was decided, should consist of thirty-one men, to hold office until the third of November, 1653. Fourteen members of the old Council of State, including Cromwell, continued as members of the new body, and to them were added later seventeen others, all, with the exception of Fleetwood who was in Ireland, being members of the Parliament.⁴⁹ Within a week the mace had been brought from Colonel Worsley's house where it had been kept since it was taken away by Cromwell, and the assembly publicly declared itself a Parliament by a proclamation on July 12.⁵⁰

Meanwhile it had busied itself with the appointment of committees. Those for Ireland and Scotland were appointed on July 9, with Cromwell as a member of the latter as well as of a committee to make up the list of the additional members of the Council.⁵¹ Thus as a member of the new Parliament and of the Council, as head of the army and influential in choosing the rest of the Council, it is evident that despite the

⁴⁵ Paulucci to Sagredo, July 8/18, *Cal. S. P. Ven.* (1653-4), p. 101.

⁴⁶ *Ibid.*

⁴⁷ *C. J.*, vii, 281.

⁴⁸ *Ibid.*, vii, 282.

⁴⁹ Gardiner, *Comm. and Prot.*, ii, 289, says 13 and 18, but see *C. J.*, vii, 282.

The list there includes the name of Salwey, who, however, seldom attended. The original members were Cromwell, Lambert, Harrison, Desborough, Tomlinson, Pickering, Strickland, Carew, Col. P. Jones, Col. Stapley, Col. Wm. Sydenham, Moyer, Col. Bennett, and Salwey. To these were added Fleetwood, Norton, Tichborne, Hewson, Major, John Williams, Charles Howard, Henry Lawrence, Dennis Hollister, Hugh Courtney, Viscount Lisle, Andrew Broughton, Edward Montagu, Thomas St. Nicholas, Sir James Hope, Sir Anthony Ashley-Cooper, and Sir Charles Wolseley.

⁵⁰ Pr. in *Perf. Diurn.*, July 12.

⁵¹ *C. J.*, vii, 283.

transfer of his authority to the new representative, he was easily the outstanding member of the new régime as he had been of the old. Its first task, like that of the provisional government which he had directed, was to put the finances in order and in the hands of the new authorities. To that it joined a measure long urged by the General — the consolidation of the various financial bodies into one office and the investigation of what was suspected to be widespread misappropriation of funds by officers and officials who were members of the late Parliament. To accomplish this a committee was named to consider the public debts and to "receive accusations of bribery, public frauds and breach of public trust." To that the Parliament added consideration of the reforms to which many of its members looked forward as the chief object of its meeting, especially the reorganization of the legal system and of the administration of poor relief.

These were not the only concerns of the new representative and of the General. Not only the assembly itself but the fears aroused by its reform programme alarmed many both inside and outside of the revolutionary ranks, and the position of the new Parliament and Council was threatened at this moment by another development outside the realm of domestic politics. This was the fact that the fleet had been largely withdrawn from its blockade of Dutch ports, and — possibly in consequence of this — the Dutch commissioners were unwilling to accede to the demands of the Council in the peace negotiations. Whether the fleet returned to England merely to refit and to bring back General Blake who was seriously ill,⁵² or whether it found the blockade too much for its powers, the effect on the public could not but be unfavorable to the new régime. For it is the great and characteristic weakness of a revolutionary government that it must continually succeed, or at least preserve the appearance of success, at all times and under all circumstances, in order to maintain its position, and no one realized this more keenly than Cromwell. It is evident from his letter to Penn at this moment that he was fully conscious of the popular irritation against the government and felt the strain of the situation in which it was placed:

For my Honoured Friend, Captain Penn: These

SIR,

It is not a little murmured in this place that the fleet came off from the enemy's coast at this time. Some who neither love you nor us, nor this cause, are apt to make their own constructions of it, yet I believe you satisfied your judgments in it. Indeed that which I apprehend is that the Dutch Commissioners may be a little high upon it, but that, I trust, will return upon their own heads in the end. I often think of our great loss in your dear General Deane, my most true friend.

I wish that the honest interest he carried on may still be maintained amongst

⁵² *Cal. S. P. Dom.* (1653-4), pp. 7, 15, 18, 20.

you. Do that, and all will do well; in that I shall desire to serve you to the uttermost as in all things else. I shall be glad to hear from you how your affairs go.

I hope the Lord has brought into the present Parliament men of approved godliness for the generality of them; and very few (if any) liable to just exception. Be not shy to let me know wherein I may express my love, for you shall find me your very true friend,

O. CROMWELL.⁵³

July the 9th, 1653.

Had Cromwell known more of the situation and opinions of the Dutch, he need not have been as disturbed as his letter to Penn seems to indicate, for at that very moment de Witt all but despaired of the plight in which his country found itself. But whatever doubts Cromwell had of the position of England were not apparent in his address to the Dutch deputies in the conference which was held with them on July 13. According to their report of the proceedings, he spoke in that vein of moral superiority, which, however unconscious and however sincere, has always grated on the sensibilities of Continental powers. His observation that the Dutch deputies ought to let their thoughts "go beyond mere profit and worldly advantage," and that "in England, God be thanked! the work was better understood than in the United Netherlands, and that, above all, what must first be thought of were the essential points tending to the preservation of freedom and the outspreading of the kingdom of Christ," can hardly have soothed the feelings of the Dutch commissioners, in view of the highly worldly terms proposed to them as the price of peace:

To begin with His Excellency said that until now the Government of this Republic had not negotiated with any other nation, except in writing, because he considered this to be the most secure and most expedient way of negotiating. As, however, the Council of State had decided that he too would be present at the conference to be held with us [the Dutch ambassadors] and as he had pondered the arguments put forward in our memoranda, because of which the negotiation between this Republic and the United Netherlands could be facilitated by oral conferences, he declared that he agreed with these arguments and that therefore he would propose his opinions in informal conversations, without any obligations for either side being produced by it, and that he would propose his opinion honestly and as if talking before the Supreme God. That he had learned from our memoranda mentioned above and from the arguments brought forward by us now against the points contained in the second answer of the Council of State in reply to the said memoranda, that we requested that the two points of satisfaction and security should not be dealt with first, but put

⁵³ Pr. in *Hist. MSS. Comm. Repts.*, *Portland MSS.*, ii, 86, from the original at Welbeck, and checked by Mrs. Lomas (Lomas-Carlyle, Suppl. 80). Apparently now in Brit. Mus.; pr. in *Letters and Papers Relating to the First Dutch War*, ed. C. T. Atkinson (L., 1912), v, 266-7, from *Penn MSS.*, f. 190.

aside until both parties concerned should have come to an agreement on the points, relating principally to alliance and closer union. That it was his opinion that it did not make much difference which point was dealt with first, but that on this occasion the responsibility for the war had above all to be taken into account as being the fundamental part of the whole work, that we on behalf of the States General had argued the innocence [of the States General] and that we had called the Lord God to be witness to this our declaration. That the British Government, when on other occasions the same protestations and appellations to our Lord had been made concerning difficulties that had arisen, had always sought to clear their own consciences and had found that they had been blessed with the hoped-for success by the Mercy of the Lord, and that in this war also the Lord had shown to a certain extent his mercy, but that they had not become proud or conceited because of this, knowing that for everything the mercy of the Lord alone was to be thanked. And that this Government therefore had aimed at a lucrative satisfaction in the form of a great amount of money, but in such a way that it could be satisfied of having done its duty in a cause which had stirred up the feelings of the nation so much, and through which — if it had not been for the decision of Our Lord — they might have been brought to great inconveniences. Exaggerating what had passed concerning the great and extraordinary equipment [of a navy] in the United Netherlands who were nowhere at war and that on this side [England's] security had been such that notwithstanding that the affairs of Scotland and Ireland and other reasons justified the maintenance of a larger navy, nevertheless it had been decided that the naval forces should be reduced, until by the aggression of our [Dutch] ships on their own roads and practically in their own ports during the negotiations of peace, they had been forced to put the navy on a better footing. That it was true that according to their own [English] declarations they had tried to obtain satisfaction by taking ships of the Netherlands and had done this according to the rules of war, not to cause ruin to the Dutch, and that by this our [Dutch] people had suffered more than they had gained. That notwithstanding all this no large sums were required for satisfaction, but that this was intended to give us [the Dutch] the opportunity to offer a decent satisfaction, by which the way could be cleared for the work on the principal points; but if we persisted that right was on our side, in that case we put the responsibility on this [English?] government, and if that should really be the case, he was of the opinion that then they would not be justified in demanding satisfaction but that we would have a right to demand it from them and to receive it. Therefore, if everything was taken into account, that this point had necessarily to be considered the fundamental part of the whole work. Concerning security, he said that the English government was not ignorant how matters stood both within the Netherlands and with the powers around them; that the United Provinces had mighty neighbours, whom they could not trust implicitly; that there were spirits in their own country who now indeed pretended to seek an accommodation with England, but only with the intention of gaining time, and of restoring matters, merely in order, within a brief period, perhaps within a single year, to overturn everything again, for reasons not unknown to the deputies themselves; that, therefore, their thoughts in the treaty about to be made ought to go

beyond mere considerations of profit and friendship based on worldly motives that God had wondrously delivered them out of the Spanish slavery, & revealed to them the truth of his Word; that the English, therefore, honored and loved them; but the people sometimes became careless, and did not sufficiently apprehend the intrigues which were used against them; that in England, God be thanked! the work was better understood than in the United Netherlands; and that therefore, above all, what must be first thought of were the essential points tending to the preservation of freedom and the outspring of the kingdom of Christ; not for themselves only, but also for posterity to adjust in such a way that the treaty, built on such a foundation (yet according to the form and character of the respective governments), might be permanent and inviolable; that it had often happened that, after a quarrel, friendship became stronger and faster than before; and that neither of them knew what God the Lord, for the magnifying of his holy name, and the deliverance of so many oppressed nations, who now more than ever groaned under insufferable tyranny, might intend to accomplish by the two republics in their own good time.

To the deputies' reply that the best way to get security would be to discuss the main points of the treaty, leaving aside all theory, and their request for further explanations from Cromwell,

His Excellency renewed his former protests and related how he personally and with great care had obtained full information on the [Dutch] acts of aggression from the narratives of innumerable reliable persons, from the written accounts of the two captains of the two ships, and that it would be wise that they declare further our opinion so that the negotiations would not get stuck in limbo, and that it would not be too onerous for our finances to pay satisfaction which they thought ought to be done beforehand.⁵⁴

The following evening the conversation was resumed after an accidental meeting in St. James's Park with Cromwell who declared more practical, even worldly terms that

He was very sorry to hear that some people, some of them maliciously, & others from lack of understanding, held the opinion and reproached him, as if he were trying to exercise more power and authority in the Republic, and that to this end he had caused the most recent changes in the Republic. That had been forced by many urgent reasons to these resolves, adding many strict protestations, and particularly, that he was convinced that if he had such aims as those ascribed to him, God would undoubtedly punish him, but so far God had mercifully blessed him. . . . He heartily wished that a good and durable peace could be established, because he knew well what management the Papists everywhere employed to attain their object, and how important to all honorable people was the preservation of the true religion and their freedom, & that these points had to be considered first of all; further communicating to us that Sir Charles Howard, one of the officers who accompanied him, a me-

⁵⁴ *Verbael*, pp. 41-43; portion already translated in James Geddes, *History of the Administration of John De Witt* (L., 1879), pp. 337-8.

ber of the new Parliament and of the Council of State, also had been instructed to attend the conference which was allowed us next day, he called this Sir Charles Howard and ordering the other officers to stand aside, he told us that in his opinion one of the greatest reasons of dissatisfaction of this [English] nation had arisen principally from this, that we [the Dutch] had overreached them everywhere in commerce, that our industry was not to be begrudging us, but that on account of the domestic troubles [in England] our people had done great injury to them with several alliances [e.g., that with Denmark, which fixed a minimum scale of Sound dues to be paid by English traders to the Baltic]; without agreeing, however, notwithstanding our insistence on giving further particulars, that the interest of this nation, and ours too, consisted in the welfare of commerce and navigation, and that nothing durable could be arranged between them unless explicit rules were made concerning them. He knew well that the industry of the Dutch ought not to be prevented; but that the English, having received so many advantages from nature in the way of good havens and geographical situation, ought to have their due share in them. The world was wide enough for both; and if the two peoples could only thoroughly well understand each other, the two countries could overrule all others and control the markets and dictate the conditions and that therefore in this regard good order should be established.

The deputies pointed out that former commercial treaties between the States General and England, among them Entrecours (1496), had already taken into consideration the present points. Again they had to ask him to be more accurate and to get down to concrete points, to which he replied:

All these opinions are only outlines. He had no specific opinions on the subject. . . . He reiterated that he honestly desired an alliance with the Dutch Republic and that expedient solutions could be found if we [the Dutch] were also in earnest, without other secret intentions, but that we would see our plans frustrated if we had some hidden secret schemes which we intended to cover by a display of friendship and alliance, that they had been delivered by God several times in a remarkable way, especially in the year 1648, when they had offered peace to the King seven times but had discovered each time that he had other schemes in mind, that the Scots had invaded England with a strong army, that Goring had brought together fifteen thousand troops in Kent, that practically the whole of Wales had declared against them, that there had been several other groups that sided against them, but that God had given them victory with their limited forces but that they were not conceited on account of this; and turning again to the first point discussed, he said that we had to adjust and regulate our common interests in commerce and navigation if we wanted to live in peace and unity.⁵⁵

It was, so far as can be judged, at about this time that he wrote again to Mazarin, in this case with regard to a matter which is all too familiar

⁵⁵ *Verbael*, pp. 45-46; portion already translated in Geddes, *De Witt*, pp. 339-40.

in international relations during times of war. According to their story, two merchants, Robert and Richard Llewellyn, with their associates, had two of their ships, the *Hopewell* and the *Squire*, laden with sugar which they claimed was worth £40,000, captured by Prince Rupert and taken into Nantes. There, according to the Llewellyns, the vessels and cargoes were sold for the benefit of the "Sea Royalists." The Council of State had made representations to the French ambassador, Bordeaux, for indemnity, but with no result. The Lord General now appealed to Mazarin in behalf of the aggrieved merchants, enclosing their petitions, though if Louis and Mazarin did not laugh at what they regarded as the insolent demand — as was reported — the opinion in Paris was that the merchants would never secure the damages they sought.⁵⁶ That opinion was no doubt justified, but such incidents, with the rumors of the attitude of the French government to which they gave rise, went far to explain the tension between the two countries.

To Cardinal Mazarin

MAY IT PLEASE YOUR EMINENCE,

Certain English merchants having presented to me the enclosed request; and finding that what the petitioners demand is in truth just, and agreeable to the practice of nations which are in amity; and well realizing the greatness of the post which you hold in the service of his Majesty; as also the love which you have for justice; and the favor in which you hold the English, I have desired to present to your Eminence the case of the petitioners to the end that by your favor they may have justice; by which you will greatly honor and oblige him who is,

Your Eminence's

Most humble servant,

O. CROMWELL.⁵⁷

[c. July 1653.]

The communications with the Dutch envoys and with Mazarin threw into high relief the position of the new English government in foreign affairs. Mazarin, but recently returned from his exile in Brühl, was busy overthrowing his enemies of the Fronde and adjusting relations with foreign powers, especially Spain and the Netherlands. Bordeaux, held for Condé by his brother Conti and the Ormée faction, was still to be subdued. Le Daugnon still held out in the Brouage, and the party of Condé, supported by Spain, was still active though its leader was in Flanders. None the less, despite these circumstances and his disinclination to face the hostility of the English Commonwealth, the Cardinal

⁵⁶ Letters of intelligence, July 9/19, 16/26, Thurloe, i, 344–5, 357.

⁵⁷ What is probably a French translation of the original, pr. in Lomas-Carlyle, Suppl. 79a, is in the Archives du Ministère des Affaires Étrangères, vol. 61, f. 209. The petition which was enclosed is preserved in the Archives but placed with the letter of June 9/19. The previous Council of State, on the petition of the merchants, presented the case to Bordeaux on March 31 [1653?] but with no result.

was not disposed to yield to it, depending instead on his ability to "elude and divert" its enmity by his subtlety in diplomacy. The position of de Witt was no less precarious than that of Mazarin, as Cromwell pointed out. Faced by the hostility of the Orange faction and the threat of French ambitions in the Netherlands, the Dutch leader was in no position to offer unbending opposition to the English, especially in the face of its recent naval victory; but on the other hand the Netherlands were not inclined to submit to what amounted to virtual annexation by England.

Thus, like Mazarin, de Witt delayed, temporized and negotiated in the hope of escaping the threatened destruction of his own ascendancy and his country's independence by diverting the English or enlisting them on his side against his enemies at home and abroad. On its part, Spain had been adroit enough to recognize the new English government at once and so, for the moment at least, despite its Catholicism, avoid the hostility of a government which was committed to the destruction of Papists and papistry. The difficulty of that programme, on the other hand, lay in the fact that all the powers with which England was immediately concerned, save Holland, were committed to that faith, and a crusade against the whole of Catholic Europe was inconceivable even to Cromwell's most enthusiastic followers, nor was it any part of his designs. It was among these Catholic powers, however, that it must choose its opponent, for it seemed certain that it intended to fight, and in consequence the diplomats of those powers, especially of France, Spain and Portugal, strove to find some means of avoiding a struggle with this militant and powerful Puritan state, and, if possible, to secure the friendship of its leader.

For the moment, however, that leader was chiefly concerned with the problem of internal reorganization. On July 14 the membership of the Council of State was increased by the seventeen men chosen by Parliament,⁵⁸ and its position was indicated by Cromwell's request to the Dutch commissioners to alter the form of addressing their communications from "His Excellency and the Council of State" to that of "The Council of State."⁵⁹ In this it seemed that he wished, among other things, to avoid the charge of being a dictator, which had been levelled against him, and rest content with being merely one, if the most influential, member of the government.

Whatever its effect on the English people, this maneuver had little influence on foreign representatives who, despite his disavowals and his disinclination to appear as the dominating personality in affairs, continued to regard him, under whatever title, as the one man who counted. This was no less apparent in domestic than in foreign affairs. While Parlia-

⁵⁸ C. J., vii, 284-5. Fleetwood, who was elected, was then in Ireland.

⁵⁹ Verbael, p. 52.

ment took up the difficult question of the abolition of tithes, with Harrison and his party endeavoring their extinction, Cromwell's influence in that assembly was indicated by the fact that the motion to abolish them — to which he was opposed — was tabled in a full House, two of his party, Tichborne and Cooper, acting as tellers for the majority.⁶⁰

While the question of tithes was being determined, a committee again conferred with the Dutch commissioners; and Cromwell was reported, perhaps incorrectly, as having insisted on this occasion that Tromp be held guilty for beginning hostilities and "rattled them in a speech three quarters of an hour long."⁶¹

Besides these conferences with the Dutch, Cromwell had many others with foreign representatives, among them one with a Colonel Bampfield, an Irish adventurer, sometime in Royalist service, implicated in Scottish designs for a rising and now employed by Cromwell as a foreign agent or spy.⁶² Besides this he seems to have had conferences with Hieronimo Radziciowski, sometime vice-chancellor of Poland, who, escaping from his king's displeasure, had ingratiated himself with Queen Christina of Sweden. Provided with letters from her, he had come to England to urge Cromwell to help bring about peace between Venice and Turkey, so that the Turks might attack his native land and relieve Sweden from threat of war by Poland.⁶³ From these negotiations, like those with the agents of Condé and the Bordellais, it is evident that many of the disturbing elements in Europe were looking forward fondly to gaining the support of this new and formidable revolutionary power in England, and the notices of their proposals to the Lord General are no less important in that, for the most part, they were made through more or less underground and not always reputable channels. Nor is it less important to note that in the minds of foreign powers, especially those opposed in one fashion or another to the existing system, there was a firm belief that this English revolutionary party and its leader could be induced to play something of the part which Gustavus and his Swedes had played not so long before in Germany.

Their assistance was hoped for in far different quarters. Of all the Royalists who had looked forward to some gain for themselves or their party, the unstable and unscrupulous Duke of Buckingham was, as always, the chief fisher in troubled waters. While Lilburne was bidding

⁶⁰ *C. J.*, vii, 285.

⁶¹ P. H. to Raph, July 21, Thurloe, i, 367. See also Beverning to De Witt, July 22/Aug. 1 (*ibid.*, p. 370) and "Memoire" in *Verbael*, pp. 47ff., which mention conference of July 15/25 with commissioners, but without specific reference to Cromwell.

⁶² Richardson to Edwards, July 21, Thurloe, i, 367. Bampfield had contrived the Duke of York's escape from England in 1648.

⁶³ Paulucci to Sagredo, July 16/26, Aug. 14/24, *Cal. S. P. Ven.* (1653-4), pp. 103, 116. See also *Cal. S. P. Dom.* (1653-4), p. 99.

him farewell in Calais, the report was circulated in London that Fairfax had promised Buckingham the hand of his daughter Mary in marriage and had secured permission for the Duke's return to England.⁶⁴ There was more basis for such a rumor than usual, as the event was to prove; and Hyde, who knew the Duke only too well, expressed his belief that Buckingham would regain his estates even at the price of marriage into the Cromwell family or, as he said more bitterly, of becoming Cromwell's groom.⁶⁵ Doubtless Buckingham himself was responsible for the report in Paris of his prospective marriage with Cromwell's daughter, for Hyde wrote presently that the Duke would take anything that Cromwell would give him for a portion.⁶⁶ Meanwhile Buckingham's professed friend, John Lilburne, in his cell in London, planned his defence — and further attacks on the government — and Hyde was writing Nicholas that he was well satisfied with "Honest John"; and further that "I shall judge much of Cromwell's power and interest in Council and army as John proves to be hanged or not hanged,"⁶⁷ adding that "letters from England say that one must hang the other."

As it happened in this case, Hyde was a poor prophet for neither of them were hanged, but the revolutionary government, like Hyde, recognized the importance of the trial of its persistent antagonist. The danger was regarded as so great that three trustworthy regiments were stationed within call as his trial began on July 13 at Old Bailey.⁶⁸ Believing that time was on his side, Lilburne endeavored to delay the proceedings until Parliament could consider his petition which had been presented to it on that same morning and the popular movement on his behalf could gather strength. On its part the government took every means to make the trial seem as fair as possible. St. John was ordered to assist Prideaux in the prosecution, and a distinguished array of counsel, including Glyn, Maynard, Hale, Twysden, Earle, Chute, Wilde and Norbury, to advise in points of law, was assigned to the defence, though Lilburne pleaded the next day that none of these men could be found except Maynard who was ill and Chute who was on his way out of town. Despite all this, he succeeded in securing a copy of his indictment which enabled him to enter at once a long list of objections.⁶⁹ At the same time popular sym-

⁶⁴ Theodorus to Conway, June 23, 1653, *ibid.* (1652-3), p. 436. According to James II, Cromwell refused to consider Buckingham as a son-in-law saying "that he would never give his daughter to one who could be so ungrateful to the King, he owing all he had to that family" (J. Macpherson, *Original Papers* (1775), i, 46-7).

⁶⁵ Hyde to Nicholas, June 3/13, *Clar. St. Papers*, iii, 171.

⁶⁶ Same to same, July 15/25, Macray, ii, 231.

⁶⁷ *Clar. St. Papers*, iii, 182.

⁶⁸ Richardson to Edwards, July 21, Thurloe, i, 367.

⁶⁹ *Perf. Diurn.*, July 11-18; *Cal. S. P. Dom.* (1653-4), p. 4. See also J. F. Stephen, *Hist. of the Criminal Law* (L., 1883), i, 367; *State Trials* (L., 1816), v, 407-60.

pathy was enlisted in his behalf. Crowds gathered to support Lilburne; petitions were circulated and signed in his behalf; and it began to seem that, even were Hyde wrong, this was a real test of strength between the government and its enemies. Under such circumstances the first session of the trial was ended on July 16 and Lilburne was returned to Newgate; but such was the popular excitement that two weeks later six men were committed to the serjeant-at-arms for having presented to Parliament a petition in his favor, to which, though it was written on a fresh sheet, was appended a list of signatures written on a paper "old and torn."⁷⁰

While Lilburne sat in his cell planning his defence, Parliament and the Lord General went about their other business. Permanent committees for the affairs of Scotland and Ireland were appointed, Cromwell as usual being a member; with others for considering the recipients of tithes; for trade; for the poor; for public debts; for prisons; and for the advancement of learning.⁷¹ The Council of State made like appointments, among which one was of more than passing interest, for on July 8 John Thurloe was given charge of the intelligence service, with power to hire agents at his discretion.⁷² It was an appointment of great significance in many ways, not least to Cromwell, with whom Thurloe had long been associated and for whom he had acted as legal counsel. Bred up to the law in the service of St. John, whose secretary he had been, he had been chosen as secretary to the Council of State on the death of Gualter Frost a year before, and so, by way of the additional office of clerk to the committee of foreign affairs, had now come to the important position which gave him command of all the secrets of the Commonwealth. He was also Secretary to the new Council and thus provided the Lord General with a devoted follower in one of the most strategic posts in the state. Thurloe had long been busy securing copies of letters from intelligencers and foreign envoys, but with this appointment these activities were at once greatly extended and in a sense legalized. It is hard to overestimate the advantage this gave the Lord General as it is hard to overestimate the talents which Thurloe exhibited in the all-important task which was now entrusted to him.

Almost immediately those talents were called into play by the negotiations with the Netherlands. The Council spent the morning of July 19 in debating the question of a treaty with the States General and ended by appointing a committee, which included Cromwell, to draw up propositions to present to the Dutch. Two days later these took form in a memorandum signed by Pickering as president of the Council and

⁷⁰ *Perf. Diurn.*, Aug. 2; *C. J.*, vii, 285, 294. The six men were sent to the Bridewell, sentenced to hard labor (*ibid.*, p. 301).

⁷¹ *Ibid.*, pp. 286-7.

⁷² *Cal. S. P. Dom.* (1653-4), p. 14.

were presented at a conference with the Dutch envoys in which a committee of the Council consisting of Cromwell, Strickland, Montagu, Ashley Cooper, Hollister and Wolseley took part. The proposals were so revolutionary in their character that the Dutch representatives could scarcely believe that they understood them.⁷³ They were so amazed, in fact, that they transmitted to the States General only Beverning's vague and general report of the proceedings. Their real feelings were perhaps best expressed in Nieupoort's remark to Fleming, which Jongestal quoted in a letter to William of Nassau. "I think," Nieupoort observed, "that the Lords of the Council did take these points they propounded to us out of the instructions of the lords commissioners who were last year in Scotland, thereby giving us to understand that they would use us as they do the Scots."⁷⁴ What they feared, obviously, was that these proposals went far beyond an alliance or even temporary "union" and contemplated an actual absorption of the Netherlands into the English Commonwealth.

The Dutch representatives found some comfort in Cromwell's personal request to them to omit his name from the communication, though he "spoke himself as formerly, and did highly insist upon it" that the Council's conditions be met,⁷⁵ and they assumed that his constant attention to the matter indicated that he took the peace negotiations seriously.⁷⁶ They could not or would not, however, believe that a union was intended. Their reply was indefinite and requested a more explicit statement of a proposition, which could scarcely have been stated more clearly. To this, on the next day, the Council replied with a demand for a definite answer, but the Dutch envoys, fearful of rejecting the proposal outright, pretended to misunderstand the Council's meaning and spoke again in terms of a close alliance. This, they knew, was not the intention of the Council which stood for "*una gens, una respublica*," in effect the annexation of the Netherlands and the extinction of its independence. That was unthinkable to the Dutch, but they were in a difficult position and they played for time. Further discussion only revealed a hopeless divergence of opinion and interests, and on August 4 Nieupoort and Jongestal were finally sent to confer with their government while Beverning and van de Perre were left in London.⁷⁷

The continuance of the war seemed preferable to the surrender of independence, but before the Dutch envoys had left London news came of another naval defeat which made their position more difficult than ever. In the last days of July the English fleet under Monk,⁷⁸ in pursuit

⁷³ Pr. in *Verbael*, pp. 53-4.

⁷⁴ Jongestal to William Frederick of Orange, July 19/29, Thurloe, i, 362.

⁷⁵ Beverning to de Witt, July 22/Aug. 1, *ibid.*, p. 370.

⁷⁶ Van de Perre to van Vryberge, July 22/Aug. 1, *ibid.*, p. 373.

⁷⁷ *Verbael*, pp. 62, 70, 76-7.

⁷⁸ On July 30 Paulucci reported that the English fleet consisted of 140 ships, mostly men-of-war, and the army numbered 70,000 men, mostly in England, and

of its orders to blockade the Dutch coast, sighted Tromp's squadron which had been refitting in the Meuse and now put to sea in an endeavor to break the blockade with the aid of de With, whose ships were in the Texel. Tromp was able to lure Monk away from the Texel and permit de With to escape and join him on July 29. The next day both fleets were struck by a gale and unable to engage, but on July 31 they joined battle off Scheveningen. Tromp led an attack which broke through the English line, but he was killed at the moment of his success and did not live to see the defeat of his fleet and its flight into the Texel before the English who, though outnumbered, were, as usual, superior in the size of their ships and in their artillery. None the less, despite their victory, they suffered so much damage that they were compelled to put back to refit, and despite his defeat and death, Tromp had succeeded in breaking the blockade. The losses on each side were so great that another effort by either nation was impossible for the time being, but the advantage lay definitely with the English; and though the war went on for nine months more, the capacity of the Netherlands for successful resistance was virtually at an end.⁷⁹

Under such circumstances the task of the Dutch peace commissioners became more difficult, if not impossible, in the light of the demands of the Council. Though their government had no intention of giving up the struggle, though it named a soldier, Opdam, to Tromp's position and gave him de Ruyter as vice-admiral, put its fleet in order, and even contemplated an attack on the Thames, the destruction of half of de With's fleet by an October gale further weakened its position. On their part the English were not able to push their advantage, and the war degenerated into small captures on both sides. With the victory off the Texel, in fact, the General and Council were able to turn their attention to other matters nearer home, among them one on the part of Cromwell which, though wholly personal, was of more than passing interest.

In the early summer of 1653 he had thrown upon him the responsibility of the education of a youth, William Dutton, whose guardian-uncle, John Dutton, a Royalist of great wealth, appears to have approved the dissolution of Parliament and was a friend of the Lord General. It was not wholly disinterested on Cromwell's part, for it seems that he had some idea that the boy might make a good husband for fourteen-year-old Frances Cromwell, a plan approved of by the boy's uncle, as appeared when he made his will some time later. What was of more importance historically, Cromwell selected as the boy's tutor Andrew

so well paid and disciplined that although London was crowded with troops, there was no complaint. *Cal. S. P. Ven.* (1653-4), p. 109.

⁷⁹ Letters from Monk and another aboard the *Resolution*, in *Perf. Diurn.*, Aug. 3-4. See also Clowes, *Royal Navy*, ii, 193ff.

Marvell, sometime tutor to Fairfax's daughter Mary, more recently temporary assistant to John Milton the Foreign Language Secretary, presently famous as the poet of the Commonwealth and Cromwell's panegyrist and later distinguished as member of Parliament for Hull and Restoration satirist. Marvell established himself and his pupil at Eton, in the house of the preacher John Oxenbridge who had lately returned from Bermuda to become a fellow of the College. Young Marvell took his responsibility seriously as his reports to Cromwell indicate. He had, as he wrote, "taken care to examine" his pupil "several times in the presence of Mr. Oxenbridge as those who weigh and tell over money before some witnesses ere they take charge of it; for I thought there might possibly be some lightness in the coyne which hereafter I should be bound to make good." He added that the young man was "of a gentle and waxen disposition," and whether or not that proved a bar to the marriage, it never took place and William Dutton disappeared into the oblivion from which the Lord General seems to have been inclined to drag him.⁸⁰

From this personal interlude which forms such an excellent example of Cromwell's concern for his private affairs even in the midst of pressing public business, the Lord General turned to the consideration of the state of the nation. Despite the recent victory over the Dutch, it was unpromising. Before Parliament had been in session a month, its activities had begun to add to the popular dissatisfaction with the government. In his new capacity as head of the secret service, Thurloe began to intercept letters from foreign correspondents predicting an early dissolution because of dissension among its members and between them and the administration,⁸¹ and predictions of the restoration of monarchy were renewed with increasing confidence. Cromwell himself was so displeased with its headlong zeal and its parliamentary incapacity that he was reported to have begun to plan a coalition with its "presbyterian" members to contrive, among other things, a peace with the Dutch, and was said to have sent for Hugh Peter to discuss this plan.⁸² Meanwhile he kept in close touch with the Dutch envoys and the four deputies from Bordeaux, who, supported by the Spanish ambassador, Cardenas, were still seeking aid. In response to their request that twenty ships be sent to keep the Garonne river open so that food might pass the French blockade and that 14,000 men be loaned to clear the province of Louis XIV's troops, Bordeaux reported that the General offered to rent the Bordellais six or eight ships, but the arrangement fell through on account of the

⁸⁰ Nickolls, *Original Letters*, pp. 98-9. See also Noble, *House of Cromwell* (1787), i, 154, and Marvell's *Poems and Letters*, ed. H. Margolouth (Oxford, 1927), pp. ii, 291-2 and notes pp. 348-9.

⁸¹ Intercepted letters (July 28, Aug. 1) in Thurloe, i, 384-5, 393.

⁸² Newsletter, July 29, Macray, ii, 236.

inability of the French insurgents to man the vessels, despite the English offer to provide Dutch prisoners for that purpose.⁸³ Nothing, in fact, came of the negotiation but while it went on, Cromwell's attitude toward the French envoy was noticeably cool. To the latter's assurance that his sovereign was strongly inclined toward an accommodation with England, the General replied, "*Justum bellum praestabat iniqua pace,*"⁸⁴ and Bordeaux presently wrote an account of an interview with the Protector which provides an interesting comment on the methods of Cromwell and his position at this time.

"I found him alone last week," the French envoy wrote, "on a walk where I had enough leisure to assure him of the good-will of the King, the esteem which your Eminence had for his friendship and your desire to give him marks of yours and to establish close correspondence. He said to me then that he felt greatly obliged to your Eminence for your civilities and affection in which you held his very humble service. But he said nothing of correspondence nor did he in the rest of the conversation which lasted a quarter of an hour, although my discourse often obliged him to open this subject. I did not forget to touch all the points and reasons in the last instructions which the comte de Brienne sent me to make him recognize the advantage which England would receive from a union with France and to dismiss the suspicions which the sojourn of the King of England gave to this state. . . . All my efforts could not make him get away from general compliments nor to enter into the matter. He seemed to me a little heated about our efforts at accommodation."⁸⁵

He said, in fact, nothing at all which gave any aid, comfort or satisfaction to Bordeaux nor anything at which the envoy could take offence. He left the matter precisely where it was; he revealed nothing of his own plans or ideas; and the most that the experienced Bordeaux could derive from this peculiarly exasperating conversation was that the Protector was bored and perhaps a little irritated at the persistence of the French — which was, perhaps, precisely what Cromwell intended.

On the other hand, while Cromwell concealed his intentions from those around him, the Dutch ambassador at Paris, Boreel, advised the deputies in London in early August that the Protector had written to Mazarin that England would not intervene in the quarrel between Louis XIV and his rebellious subjects:

To Cardinal Mazarin

Mentions the success of the English over the Dutch and gives assurance that

⁸³ Bordeaux to Brienne, Aug. 7/17, Aug. 11/21, cited by Gardiner from R. O. Transcripts. The Bordellais' propositions to Cromwell and the Council are in Nickolls' *Original Letters*, pp. 97-8. See also van de Perre to Vogelaer, July 22/Aug. 1, in Thurloe, i, 370.

⁸⁴ Bordeaux to Brienne, July 28/Aug. 7, quoted in Guizot, *Cromwell*, ii, 78.

⁸⁵ Bordeaux to Mazarin, Aug. 1/11, in Jusserand, *Recueil des Instructions* (xxiv), "Angleterre" (Paris, 1929), i, 170.

no relief of English ships shall be sent to the river of the Garonne, nor to the assistance of the Spaniards.

c. Aug. 3, 1653.⁸⁶

However Boreel knew of this letter — if he did — there were good reasons why the Protector should not intervene at Bordeaux at this juncture. The first and most important was that the Bordellais were about to lose their fight and that whatever help might be sent, conceivably would come too late. The second was the situation of English politics. The reform activity of the new Parliament had roused grave fears not only in the country at large but in the minds of the revolutionary leaders themselves. Its radical element had been defeated in its effort to abolish tithes chiefly by the efforts of Cromwell and his followers, and from that it had turned to the next item on its programme, the reform of law. On August 2 it abolished fines on bills, writs and declarations, thus putting an end to a practice which lent itself to extortionate charges. On August 5, a two days' debate on the High Court of Chancery ended in a vote without division to abolish that court, and to instruct the Committee on Law to consider what should take its place and to determine the fate of causes depending there and what steps should be taken toward future relief in equity jurisdiction.⁸⁷ Whatever the truth of the charges of needless delay, corruption, personal influence and arbitrary judgments brought against the Court, this summary disposition of one of the most important elements in English jurisprudence amazed and alarmed not only the legal profession and the general public but the Council itself. That alarm was not lessened by the fact that though some of those entrusted with the great task of revolutionizing the legal system were men of considerable ability and some had attended the Inns of Court in their youth, no practicing lawyer had been admitted to the House and consequently no such committee of Parliament was competent to establish a new system for handling cases in equity.

Such a drastic proposal tended to increase the unrest in the country and among its other results again raised the easily-stirred hopes of the Royalists of a revolt against the "fanatics" and the restoration of the old order. Nor was the uneasiness of the revolutionary leaders lessened by reports from Scotland. There Colonel Lilburne had dissolved the General Assembly to check almost open rebellion against the activities of the English authorities. Only fear of popular indignation rising to active resistance, he wrote Cromwell, prevented him from dissolving the local presbyteries as well.⁸⁸ It was small wonder that in the face of such general discon-

⁸⁶ Mentioned in Boreel's letter to the Dutch deputies in London, August 13/23, 1653. Thurlow, i, 422, 436.

⁸⁷ C. J., vii, 296. See also Inderwick, *Interregnum* (L., 1891), pp. 222-3.

⁸⁸ Lilburne to Cromwell, Aug. 6, 1653, in Firth, *Scotland and the Commonwealth* (Edinb., 1895), pp. 191-2.

tent the Council adopted new measures of repression. The Lord General was made a member of a committee of the Council of State to examine and if necessary to commit suspected persons to prison,⁸⁹ and Parliament ordered the Council to bring in an Act for establishing a new High Court of Justice.⁹⁰ Obviously this was no time for the revolutionary government to embark on distant and probably dangerous foreign adventures, and the Bordellais waited in vain for aid.

None the less it was impossible to put aside the question of foreign affairs, especially in view of the Dutch war and the negotiations for peace. Jongestal and Nieupoort had returned home but Van de Perre and Beverning were still in London, and on August 6 the Lord General had two hours' conversation with the latter in St. James's Park on the subject of a close alliance between their countries. They reached no definite conclusion, but their discussion was on a friendly basis and they agreed to continue it later. There are two accounts of this important conversation, both written by Beverning, one to Nieupoort, the other to the States General.

I had last Saturday an opportunity of a long conference . . . at least two hours together, without any one body more. I spoke . . . in the Latin tongue, and he in the English, which was so distinctly pronounced, that I could easily understand him. The points we discoursed of were chiefly . . . upon the propositions of the 10th of July last past, which are comprehended in our several memorandums apart, . . . I then ask'd him first, whether the intention . . . was to have any footing in our country? he declared no, neither upon our sovereignties or priviledges. That then being premised, I asked him, whether the pretended alliance and union should comprehend the protection of all those from without, who should desire our amity, as well as those within ourselves. To that he gave me no distinct answer: . . . he told me, my questions required some time to consider of, and could not be answered *extempore*, and that he did discourse with me but as a particular man, without having any order thereunto. To the reciprocal union he replied not a word, although I did make several instances; but of the union, he discoursed at large and in general for a great while together, without concluding any thing. He desired he might confer with me at any time upon the like occasion, which I could never meet with since, though often attempted.⁹¹

Van Beverning asked Cromwell for further details on the planned union of England and Holland. After several discussions relating to the points of religion, satisfaction and security, Beverning asked Cromwell whether it was his intention that the union should encroach upon the sovereignty of the Netherlands. Cromwell replied no, neither upon that of the Republic or that of towns and provinces. When asked if the coalition would be conceived as a common interest in freedom and commerce and as a common protection against

⁸⁹ *Cal. S. P. Dom.* (1653-4), p. 66.

⁹⁰ *Ibid.*, p. 84.

⁹¹ Beverning to Nieupoort, Aug. 12/22, Thurloe, i, 418.

possible aggression, Cromwell preferred not to answer distinctly. Beverning asked for further details relating to the confederation, particularly in connection with alliances already existing, how to organize this confederation other than by a frequent correspondence of the allied states. Cromwell answered: "These points are of great importance and cannot be answered without deliberation," and he could only discuss these matters privately, not in his capacity as representative of the Council. That England had no treaties with other States, but that she was in a position to conclude some and that ours could not be so binding, for the interests of the people remain always the supreme law, "and he tried to explain this by the treaty of Munster." Beverning objected to this argument, pointed out that breaking off alliances would make a bad starting point for an alliance with England. Cromwell appeared to agree and let it pass. He discussed widely and largely the coalition without coming to any conclusion. Finally forced to give an opinion, he seemed to suggest that there ought to be a kind of supreme direction, which would have control over matters concerning the points of mutual protection against aggression. When he began to discuss the example of the Amphictyonic Leagues in Greece, that had common friends and enemies and a common board, without infringing upon the sovereignty of each member, it was pointed out that there existed a great difference between this form of league and that devised by the Council of State. Cromwell "confessed that he had not considered the affair so closely and promised to think it over, proposing to discuss these matters further and pointing out that the union was only a suggestion and that he expected proposals on the subject from our side." Going home, he "discoursed on the advantages of the league to be expected by the Dutch, the opportunities offered by the English and Scottish ports, of the fisheries, of the similarity in customs and taxes, of the laws regulating the sale of landed property, of the ways of investing money, the navigation of the British islands etc." Beverning took occasion to point out to Cromwell that the English in the Netherlands were already in possession of all the advantages mentioned, in some cases to a greater extent than the native inhabitants. Thus the discourse was concluded, "His excellency apparently not being well informed of the details of the said privileges and advantages enjoyed by the English in the Netherlands."⁹²

Meanwhile another problem, that of an embassy to the erratic Christina, Queen of Sweden, pressed for solution. Before its dissolution the Long Parliament had appointed Lisle to that post but his departure had been delayed, and when the new Parliament had confirmed the appointment, he had asked to be excused. It is not improbable that he may have had a certain hesitation in exposing himself to the fate of Dorislaus and Ascham. Though his fears were shared by others, it was necessary to find an envoy, and on August 10 the Council decided to send another representative. The next day at an extraordinary meeting of the Council at seven in the morning, the outspoken Major Salwey was nominated for the undesired post. In consequence, some time later in the day, the Lord General wrote

⁹² *Verbael*, pp. 143ff.; cp. Geddes, *De Witt*, pp. 359-60.

to Salwey to that effect, noting that Strickland was to be associated with him in the mission:

To Richard Salway, Esquire

SIR,

I send not thus suddenly to beg thanks for my late present, but to provoke your anger by being the messenger of the Council-desire of your pains in an embassy with Mr. Strickland for Swethesland, a thing too long neglected by us already, and may be of greater importance than any design we have of that kind anywhere else. Your friends here will not be wanting to you or yours in your absence (if God dispose your heart to accept the service). All accommodations will be suddenly ready, and indeed we think your stay there need not be long. I commit you to the Lord, and rest,

Your affectionate servant,

August 11th, 1653.

O. CROMWELL.

Van Trumpe was killed with a musket shot on his breast, the day of the fight.⁹³

But the Council was to be no more successful with Salwey and Strickland than the Parliament had been with Lisle. On the back of the General's note Salwey drafted his refusal, on the grounds of "unfitness through want of freedom of spirit and bodily health," and Strickland also declined. It was not until a month later that an ambassador was found in the person of Whitelocke, and even he intimated later that he was named for this "honourable employment" to get him out of the way.⁹⁴ Despite this new negotiation, however, the Swedish embassy, which was, in part at least, inspired by the same motives as the negotiations with the Dutch — commercial interests and Protestant alliance — was, like all foreign questions, subordinate for the time to affairs nearer home. Even at the moment he was addressing Salwey, the General, in his capacity as a member of the committee to examine suspected persons, was busy investigating one of the earliest of those Royalist plots which filled the ensuing years.

On August 12, with the help of Sir Anthony Ashley Cooper, the General secured a deposition from a Colonel Robert Philips, or Phelps, who had helped Charles escape from Worcester and was lately returned from Paris. The next day, charged with being implicated in a Royalist conspiracy, and believed to have had dealings with Lilburne whose trial had been resumed, Philips and two others were committed to the Tower.⁹⁵ The case seemed the more serious to the authorities in that

⁹³ *Hist. MSS. Comm. Rept.* 10, App. iv, p. 410, from the holograph original in the MSS. of Alfred Salwey, Esq. Lomas-Carlyle, Suppl. 81.

⁹⁴ Cp. Whitelocke, p. 551.

⁹⁵ Macray, ii, 243; *Cal. S. P. Dom.* (1653-4), p. 87; *Sev. Proc.*, Aug. 21. See also Miss L. F. Brown, *The First Earl of Shaftesbury* (N. Y. & L., [1933]),

Lilburne's trial had roused such widespread interest and resentment, and it appeared imperative to repress all movements looking to a change in government for fear of a popular rising. Every legal device of delay and every effort to embarrass the administration and stir public resentment were indulged in by Lilburne and his counsel, and his trial became a sounding-board for opposition to the revolutionary government. Brought to the bar five times in mid-August, his counsellor, Norbury, under threat of death to his client if he did not plead, finally entered a plea of "not guilty," and the Attorney-General having brushed aside all technical objections, on August 20 brought the case to trial.⁹⁶ With his usual audacity and ingenuity, Lilburne turned the trial into a political demonstration. Apparently on the highly technical ground of an incorrect statement of his rank, he contended that he was not the "Lieutenant-Colonel John Lilburne" mentioned in the Act. More broadly but still technically, he argued that since he had been condemned by the late Long Parliament, his release was the logical consequence of its dissolution, if that dissolution had been just. If it had not been, then Cromwell, not he, should be punished first. Finally and still more broadly, taking high political ground, he appealed to the jury to consider that if he were convicted, none of them, nor any one in England, would be safe from a like fate; that, in short, the liberties of every Englishman were bound up in the decision of his case. Meanwhile a mob estimated at six thousand men armed with pistols, swords and daggers, waited outside the court-room for the verdict,⁹⁷ while slips of paper were circulated bearing a bit of doggerel which, with changes of name, played a considerable part in seventeenth century history:

And what, shall then honest John Lilbourn die?
Three score thousand will know the reason why.⁹⁸

The jury was faced with a hard choice and under pressure of these various arguments they brought in a cautious verdict that Lilburne was "not guilty of any crime worthy of death." In spite of the troops stationed about the court, the crowds greeted his virtual acquittal with wild enthusiasm and even the soldiers, despite the efforts of their officers,

pp. 56-7, quoting from the *Clarendon MSS.*, 46, ff. 182-3, gives a brief account [Aug. 12/22] of Philips' examination before Cromwell and the Council as described by Philips in a letter to Hyde. The "members removed their hats and kept them off. Cromwell addressed him courteously, expressing regret that he was not following his father's footsteps." Then Philips was praised by Cooper (who was then president of the Council) but described as the more dangerous on account of his virtues. The other two committed to the Tower were George Thomson and Nicholas Dowthwaite. See Thurloe, i, 409, for examinations of Philips and Dowthwaite.

⁹⁶ *Perf. Diurn.*, Aug. 8-15, 15-22.

⁹⁷ Beverning to de Witt, Aug. 26; Van de Perre to Bruyne, Aug. 26. Thurloe, i, 441-2.

⁹⁸ Quoted in a letter pr. in *ibid.*, p. 367.

sounded their trumpets in his honor.⁹⁹ The government, angry and alarmed, returned Lilburne to Newgate, while the Council ordered an investigation of the trial. The Lord Mayor, jurymen and all connected with it were summoned before the Council of State,¹⁰⁰ which, however, did not dare to bring Lilburne before the proposed new High Court of Justice. He was committed to the Tower on August 27.¹⁰¹ Three months later the Lieutenant of the Tower was forbidden to accept service of a writ of *habeas corpus*, and there or elsewhere Lilburne remained a prisoner until his death some four years thereafter.

That the popular support of Lilburne should save his life at the expense of his liberty was perhaps unfortunate enough for the revolutionary government, but in the existing state of affairs the action of Parliament the day before his acquittal was scarcely less disturbing. On August 19, after some debate, a resolution was passed to consider a "new body of law."¹⁰² Despite the efforts of Cooper, Desborough and others, it secured a safe majority and the government was confronted with another perplexing problem. The situation was made still more difficult by the fact that of the men ordered to undertake such a colossal task, nine were reckoned as radicals and four as moderates, while only two — Harrison who had been at Clifford's Inn at the outbreak of the war, and Pickering of Gray's Inn — had ever had any legal training. The others included three Justices of the Peace, the Recorder of Colchester, a clerk of the assizes, an assessor, two merchants, an "inventor," a gentleman politician and an officer of the army.¹⁰³ To such a miscellaneous body was entrusted one of the most perplexing tasks which can confront any government even when assisted by the most competent technical advisers. It put the revolutionary administration in an extraordinarily difficult position at the moment when it needed all the help it could get. It seemed to justify every charge of incompetence which had ever been levelled against the Nominated Parliament. "I am more troubled now with the fool than the knave,"¹⁰⁴ Cromwell confided to a friend at this time, and in this spirit he wrote to his son-in-law Fleetwood in Ireland:

To Lieutenant-General Fleetwood

DEAR CHARLES,

Although I do not so often as is desired by me acquaint you how it is

⁹⁹ For details of the trial see Gardiner, *Comm. and Prot.*, ii, 296-9, chiefly based on *Lilburne Tried and Cast; The Trial of John Lilburne*; and *State Trials*.

¹⁰⁰ *Perf. Diurn.*, Aug. 20; *Sev. Proc.*, Aug. 23; *Cal. S. P. Dom.* (1653-4), pp. 98, 100-1.

¹⁰¹ *Cal. S. P. Dom.* (1653-4), p. 107.

¹⁰² *C. J.*, vii, 304; *Sev. Proc.*, Aug. 19. It was later charged that the word "body" had been substituted for the word "model" without authority.

¹⁰³ *C. J.*, vii, 304; Glass, *Barbone Parliament*. Three other radicals were added later, one of whom, Broughton, drew up the Acts of the Parliament.

¹⁰⁴ *Newsletter*, Sept. 2, Macray, ii, 251.

with me, yet I doubt not of your prayers in my behalf, that, in all things, I may walk as becometh the Gospel.

Truly I never more needed all helps from my Christian friends than now! Fain would I have my service accepted of the saints (if the Lord will), but it is not so. Being of different judgments, and of each sort most seeking to propagate their own, that spirit of kindness that is to them all, is hardly accepted of any. I hope I can say it, my life has been a willing sacrifice, and I hope, —¹⁰⁵ for them all. Yet it much falls out as when the two Hebrews were rebuked: you know upon whom they turned their displeasure.¹⁰⁶

But the Lord is wise, and will, I trust, make manifest that I am no enemy. Oh, how easy is mercy to be abused: Persuade friends with you to be very sober. If the day of the Lord be so near (as some say), how should our moderation appear. If every one (instead of contending) would justify his form 'of judgment' by love and meekness, Wisdom would be justified of her children. But, alas, I am, in my temptation, ready to say, Oh, would I had wings like a dove, then would I, &c..¹⁰⁷ but this, I fear, is my haste. I bless the Lord I have somewhat keeps me alive, some sparks of the light of His countenance, and some sincerity above man's judgment. Excuse me thus unbowelling myself to you: pray for me, and desire my friends to do so also. My love to thy dear Wife, whom indeed I entirely love, both naturally, and upon the best account; and my blessing (if it be worth anything) upon thy little babe.

Sir George Ayscough having occasions with you, desired my letters to you on his behalf: if he come or send, I pray you show him what favour you can. Indeed his services have been considerable for the State, and I doubt he hath not been answered with suitable respect. Therefore again I desire you and the Commissioners to take him into a very particular care, and help him so far as justice and reason will anyways afford.

Remember my hearty affections to all the officers. The Lord bless you all. So prayeth

Your truly loving father,

August 22^d, 1653.

O. CROMWELL.

All here love you, and are in health, your children and all.¹⁰⁸

If domestic disturbances increased during this summer of 1653, in one direction at least the General's difficulties were simplified, if not lightened. With the return of Mazarin from his exile in February, the authority of that minister was restored, even increased, and with it the

¹⁰⁵ Word omitted, a space left.

¹⁰⁶ "And he the wrongdoer of the two said unto Moses, 'Who made thee a Prince and a Judge over us? Intendest thou to kill me, as thou killedst the Egyptian!'" *Exodus*, ii, 14.

¹⁰⁷ "Then would I fly away and be at rest. Lo, then would I wander far off, and remain in the wilderness. I would hasten my escape from the windy storm and tempest!" *Psalm* iv, 6, 7, 8.

¹⁰⁸ The original was sold by Sotheby in March 1939, according to *Times Lit. Sup.*, Mar. 18, 1939. A copy made while the original was in the hands of a granddaughter of Fleetwood is in *Add. MSS. 5015*, f. 27. It is pr. in *Annual Register* (1761), p. 49; *Gentleman's Magazine*, xxxi (1761); Wm. Harris, *Cromwell* (L., 1772), pp. 541-2; Lomas-Carlyle, CLXXXIX. (Lomas-Carlyle notes.)

power of the crown, while that of the Frondeurs, especially of Condé, was correspondingly diminished. Deprived of their chief support, the Bordellais yielded on July 31 to the royal authority, and on August 3 Louis XIV's troops entered the town, suppressed the Ormée faction and executed one of its chiefs, the butcher Duretête, in revenge for the reign of terror which had taken place in that city. Condé himself, meanwhile, now in Spanish service, had gradually lost the places he had held in France, and from his refuge in the Spanish Netherlands was able to do little more than threaten the French frontiers. Under such circumstances there came to an end the first of Cromwell's adventures in foreign affairs. Thenceforth he had to deal not with rebellious leaders and parties but with recognized and legal governments.

Thus relieved of what was at best a difficult and at worst a dangerous complication, he turned to the consideration of affairs at home. Two days after his letter to Fleetwood, Parliament passed the Marriage Act which required registration of births, deaths and marriages by civil authorities.¹⁰⁹ With such a measure Cromwell was naturally in sympathy, yet as his letter to Fleetwood shows, he was disturbed at the danger to his cause and to himself arising from the differences among the Saints, who, as his Biblical reference indicates, were inclined to put on his shoulders the blame for their own ineptitude. Apart from this, however, there is nothing to show that he had any concern save the management of his office. Only one other document of this period survives and it relates to his campaign in Ireland.

For the Right Honorable the Commissioners of Parliament for the Affairs of Ireland. These

GENTLEMEN:

Whereas I have received a very good testimony concerning George Peppard of Drogheda in Ireland, Merchant, by the sight of divers certificates from such whom I cannot but give credence unto, and which are ready to be produced, In attesting his forwardness to assist the English Protestants against the Irish in the first siege of that town in Anno Dmi 1641 both in money, beef and other provisions, to the value of eight hundred pounds, besides clothes, frizes and other necessaries, for the supply of the officers and souldiers in their extremities, to a considerable value, who hath ever since constantly continued in those parts, paying a large contribution; I do hereby think fit to commend him to your special favour, that he may be looked upon by way of distinction from other persons of the like conviction and as far as it may stand with justice and prudence, he and his family may be dispensed with, to continue upon the place where the remainder of his estate lies; And for what he hath so opportunely and readily disbursed for the state which hath engaged him in some

¹⁰⁹ *C. J.*, vii, 308-9; *Cal. S. P. Dom.* (1653-4), p. 107.

debt here, he may receive such satisfaction out of land as others of the like nature shall, and so I rest, Gentlemen

Cockpit, August
the 26th, 1653.

Your loving friend,

O. CROMWELL.¹¹⁰

But the month of August was not to end without further demonstrations of the unrest of the people and the nervousness of the government. Colonel Philips and his two associates, who had been committed to the Tower for treason on August 13, were followed by Colonel Slingsby and Colonel Pinchbeake on August 27, and on August 29 William Walwyn, who had been Lilburne's collaborator in the earlier Leveller attack on Cromwell, for which he had been sent to the Tower, was re-arrested and returned to that prison. It is evident from these arrests and those of less prominent agitators that the Lilburne trial had increased the animosity against the government; and it is no less apparent that its leaders feared an effort to overthrow them, possibly by some such combination of Royalists and Levellers as had often been suggested. The danger lay apparently in the region from London to the west, and measures were promptly taken to meet a possible rising there. The troops in the capital, which had been reckoned at some 4,500 men, were increased, and recruiting for the garrisons of Windsor Castle and the Tower was ordered. Steps were taken to dismantle the fortifications of Weymouth-Melcombe Regis, Poole and Portland which were regarded as possible bases for Royalist resistance, and some concern was expressed for the Isle of Wight. Finally, as September came to a close, there appeared a Council order to prevent bear-baiting in Warwickshire as being an excuse for assembling great crowds of Royalists.¹¹¹

Whatever else it accomplished, the Barebones Parliament had not increased the popularity of the rule of the Saints. It is scarcely too much to say that its activities in the first six weeks of its life had done much harm to the revolutionary cause. Its procedure in contrast to that of previous Parliaments to which men had been accustomed seemed not only incompetent but absurd even to many of its own members and much more to those outside that circle. Its practice of permitting, even encouraging, individual members to preach, pray, or expound the Scriptures, until enough of the House had arrived to begin the sitting; its declarations and the speeches of some of its members which, as reported, were less adapted to a Parliament than they were to a conventicle, brought upon it the derision which was even more fatal to its authority than the more serious attacks made on its proposed alterations in government and society.

The spirit of reform which inspired its members, however, was genuine

¹¹⁰ Original in Huntington Library, H.M. 22294.

¹¹¹ *Cal. S. P. Dom.* (1653-4), Aug.-Sept., *passim*.

enough. They had begun, like regular Parliaments, by appointing committees for the usual purposes. These were not controversial, but when they launched a general attack upon tithes and legal administration, they divided not only the House against itself but the nation into two bitterly opposed factions. The proposed abolition of the method of supporting the clergy by tithes which roused the animosity of the landed proprietors and even many of the clergy, to many minds appeared to threaten the whole system of property and inheritance. The attempt to abolish the Court of Chancery roused the fears not only of the lawyers but of many others who saw in it the beginning of an attack upon the whole structure of English law. That, indeed, soon followed in the form of a proposal to substitute a single code in place of the great body of customs, statutes and precedents which together made up the "law of England." None the less they pushed forward on these lines, at every step rousing the increasing antagonism of powerful and well-organized sections of the most influential elements of society. That opposition, in turn, stimulated still more extravagant proposals, and these led to still wilder suspicions. The radicals were popularly supposed to contemplate, among other things, the abolition of the universities and a crusade against other states, to bring about social equality and the rule of King Jesus not only in the British Isles but throughout the world.

There is no doubt but that some of Harrison's followers, if not that general himself, entertained such notions, to which Cromwell and the more moderate revolutionaries were opposed scarcely less than were the Royalists. It was at this point, therefore, that, without breaking entirely with the radicals, Cromwell began to draw closer to the more conservative elements of society inside and outside of his own party and to be looked on as the lesser of the two revolutionary evils, even by those most opposed to the revolution. As he had long been the champion of liberty, he now began to appear more and more the champion of order; and as he had long been anathematized as the murderer of the King, he now began to be tolerated as the possible savior of the state, though that involved, as most men and he perhaps among them perceived, his accession to the headship of that state. Here as elsewhere it seems impossible to read his mind save by his actions, but here as elsewhere it appears that he was rather an opportunist than a conspirator. He was a man who saw the immediate problem and its solution and approached each issue as it came along with clear and subtle insight, using each opportunity to reach his general objective. If that was threatened either by foe or friend, he was prepared to take the matter into his own hands and carry it out as he desired. Now, finally, he had to face an incompetent Parliament, and if it failed of its purpose, it remained to be seen what remedy he could find for the great problem of the settlement of the kingdom.

CHAPTER III

THE FALL OF THE BAREBONES PARLIAMENT

SEPTEMBER 1-DECEMBER 12, 1653

By the end of August, 1653, the position of the revolutionary government in England and of its leader had become difficult, partly by the actions of the Nominated Parliament, partly as the result of the Lilburne trial, and partly by the developments in foreign affairs. The Parliament had so antagonized powerful elements in the nation, that the enemies of the existing government had been encouraged to believe that it might fall through its own weakness or be overthrown by a sudden thrust of the discontented elements, possibly with foreign aid. Toward the end of the summer, therefore, Cromwell and his colleagues began to take fresh steps to secure themselves not only at home but abroad and to pay more attention to foreign affairs than had hitherto seemed either possible or necessary.

This raised the important question of the injection of a new element into the European system. The past three centuries have seen the impact of three great revolutionary movements on the European world, each, in greater or less degree, challenging not only the power but the principles and practices of other states, in society as well as in government. Of the three, the English revolutionaries paid relatively less attention to imposing their ideas on other nations. While they intrigued with parties on the Continent, while they strove to extend their influence there and overseas, they did not, like their successors, make war on governments on behalf of peoples; they embarked on no world-wide social crusade. The reasons for this are fairly obvious. The British Isles were then more widely removed from the affairs of the Continent than they were in later years. Puritanism, however vigorous in its own behalf, made little effort to persuade and none to compel other peoples to accept its doctrines, which were, in fact, less clearly defined than the dogmas of the French and Russian revolutionaries. Moreover it was only when the civil war had been won and the Puritans had for the first time an administration and an assembly composed exclusively of their own adherents, that there was either occasion or opportunity to take any great part in foreign adventures.

The attitude of most Continental states toward England had been scarcely less ill-defined. For many years the great war on the Continent had absorbed their attention, and the English conflict was outside the

orbit of that struggle. Though they had done what they could to maintain some kind of connection, the situation of affairs in the British Isles had not lent itself to the continuance of regular diplomatic relations, and the exiled Royalists had done what they could to prevent them. Only when the revolutionary party had finally established itself in this summer of 1653 did it appear to the astute gentlemen who represented Continental governments in London that they had at last something with which they could deal with some confidence. They saw in what they regarded as the inevitable rise of Cromwell to the headship of the state an antidote to the confusion of earlier years and to the ineptitude of the existing Parliament. Whenever the opportunity had presented itself, these men, officially and unofficially, had addressed themselves to the Lord General, perceiving in him the real director of English destinies. None the less, foreign relations were still strained, partly owing to the Royalist sympathies of foreign princes; partly owing to the activities of Royalist exiles, which, among other things, had led to the assassination of Dorislaus and Ascham; and partly owing to the inexperience and ignorance of the revolutionary leaders in foreign affairs, which were hard to understand and still harder to manage by a government so dubious in its origin and so unused to dealing with Continental powers.

These difficulties were not lessened by the fact that the European situation was itself confused and unstable even beyond its customary state. It had only been five years since the Peace of Westphalia had brought to an end the Thirty Years' War. The Continent was still endeavoring to adjust itself to the new situation, for the war had brought about great changes in the political balance of the Continent. The dominance of the Holy Roman Empire had been challenged by a militant Sweden, a powerful and ambitious French monarchy and a no less ambitious and opportunist Brandenburg electorate. Among the scores of little states which formed the central unit known as Germany the great conflict had made a desert of many regions and called it peace, but in other quarters war still went on. The treaties of Westphalia had not brought the Franco-Spanish struggle to an end. Russia, Poland, Turkey and Sweden still contended in diplomacy and arms for dominance over the lands between the Black Sea and the Baltic; and in the Mediterranean, Venice, still reckoned among European states, waged its long conflict with the Turk, at this moment over the possession of the isle of Candia.

With the European balance of power England was for the time being little concerned. Her chief interests lay in sea-power, commerce, colonies — and religion. Virtually removed from direct contact with the Continent for many years, with her tradition of diplomacy broken and her position as a revolutionary, anti-monarchical government undetermined in European polity, her leaders tended to hark back to the Protestant-Catholic motives of the religious wars just past and to the

Elizabethan tradition in which most of them had been bred. On their part the Continental rulers naturally looked askance at men who had overthrown monarchy and killed a king; yet they were forced to take account of the new and threatening power with formidable land and sea forces now released for action outside the British Isles. It was among these elements that Cromwell and his colleagues had now to choose their path.

The first and the most clamorous of these elements had been the agents of those groups which had taken advantage of the European cataclysm to free themselves from the power of rulers to whom they owed traditional allegiance. It was natural that in an age of war and revolution such fishers in troubled waters should apply for aid to a party which had gained its own position by successful revolution; and it was no less natural that they should seek and find a hearing through appeals in the name of liberty, whether political or religious. On the other hand the rulers could not stand idly by while the leaders of the most formidable forces still in being in Europe were appealed to against them, without some effort to bring those leaders to their side. Thus in their turn they sought the favor of Cromwell in a movement which was to find its parallel many times in later generations and not least in our own.

Of the powers with which the English revolutionaries were first and most immediately involved, France, Spain; Portugal and the Netherlands were the most important, for each was an actual or a potential rival in the fields of naval power, commerce and colonies. In religion as in politics the Netherlands were most akin to the principles of the Puritan leaders since the Dutch revolution of 1651 had replaced the authority of the House of Orange with that of the republican party, especially in the richest and most powerful of the provinces, Holland. None the less, religion, like politics, gave way to commercial rivalry, and the first great foreign adventure of the English Calvinistic Commonwealth had been war with the Dutch Calvinistic Republic. Meanwhile a controversy with England's oldest ally, Portugal, had arisen over the aid and comfort given Prince Rupert and his raiding "Sea-Royalists" in the course of the English civil wars, and though it did not lead to hostilities, it became the basis of long and at times acrimonious diplomacy.

Catholic Spain in the meantime had taken advantage of the situation to recognize and make peace with the masters of England in the hope of gaining at least their good-will in the Franco-Spanish struggle which centered largely in the Low Countries. That struggle had been complicated by the fantastic movement known as the Fronde, directed against the French monarchy and especially against the minister, Mazarin. In that movement at one time or another many of the French nobility, particularly the princes of the house of Condé, were involved, and to it the Spaniards in time gave their aid. The situation in France was still

further complicated by the rebellion of various elements and regions, notably Bordeaux. In this three or four-fold controversy, first one then another of the contestants had sought the aid of English ships and troops. On grounds of religion there was little to choose between France and Spain, but Cromwell and his colleagues long toyed with the idea of aiding their fellow-Protestants in France and with the scarcely less historic plan of securing a foothold on the Continent such as Calais had once been. Beyond that lay a more grandiose if more nebulous design of a Protestant League such as Henry of Navarre's minister, Sully, had once envisioned. That had already been suggested to the Dutch but their refusal to join, or, as they conceived it, to be virtually annexed to the English Commonwealth, had contributed to their stubborn opposition in the Anglo-Dutch war. Their opposition drew Denmark to their side, and as the next step in the extension of Cromwell's interest in foreign affairs, he had turned his eyes to Sweden to balance the influence of the Danes who controlled the entry to the Baltic. Finally, the war between Venice and the Turks over Candia had led to the enlistment of English interest and of Irish soldiers in that distant field of conflict, the Mediterranean, to which in time these various threads of policy were to lead the Commonwealth.

It was no mere accident, nor due wholly to domestic politics, that Thurloe had been appointed to the headship of an intelligence service which under his direction soon became one of the most astute and influential in Europe. In later years the Republican Henry Neville's satire on the revolutionary leaders put in Thurloe's mouth the characteristic remark: "My Lord, It will not be so well for me to play; I'll stand behind your chair and make and shuffle with what you are to play next time."¹ The effect was soon apparent, especially among the Royalist plotters. "Noll . . . knows better what is acted . . . than the best of our friends here doe,"² wrote one of them. And in this, report added, Cromwell was greatly aided by Jewish intelligencers,³ who with their wide connections throughout Europe were of great service to him. If the first requisite of successful politics is knowledge of the situation and the plans of one's antagonists, the Lord General now had at least this great advantage over his opponents.

He had need of it at this moment when domestic disturbance and foreign difficulties combined to threaten his position. As a result of the Dutch war and the agreement between the Dutch and the Danes by which the former were given preference in "Sound dues" on vessels passing through the Danish-controlled straits between the North Sea and

¹ *Shuffling, Cutting and Dealing, In a Game at Picquet*, 1659.

² Newsletter, Macray, ii, 247.

³ Morrice, *Life of Orrery*, and Burnet, *Hist. of My own Times*, quot. in Jesse, *Court of England under the Stuarts* (L., 1875), ii, 300-1.

the Baltic, English trade had fallen off alarmingly, and discontent in the City had grown proportionally. There, it was reported, moreover, wealth transferred to hands "unused to possess it" was hoarded rather than spent or used in business as formerly,⁴ and the government was, as usual, blamed for this. It seemed, then, most important to establish friendly relations with Sweden to open the Baltic to English trade and this became a principal concern of the committee on foreign relations.

It was no new problem but it had grown more and more acute, and every effort had been made to find a proper envoy to Sweden to make some arrangement with Queen Christina's government by which English vessels might find a way into the Baltic. The authorities had not been fortunate in discovering a suitable person who was willing to undertake the mission, for Lisle, Salwey and Strickland had in turn declined to serve. In this situation Cromwell turned to the Commissioner of the Great Seal, Bulstrode Whitelocke, who had been excluded from the House by his profession as a practicing lawyer. Though he had served the cause of the revolutionary leaders in many capacities, he had opposed the dissolution of the Long Parliament; he had been denounced by Cromwell at the dissolution; and he had spoken freely to the Lord General at various times in opposition to what he conceived to be the General's designs. He was thus one of the more prominent and less popular figures in the revolutionary movement, and he was now approached to undertake the difficult Swedish mission, as he believed, largely to get him out of the way. Apparently Pickering first drafted a letter to enlist his services, but was not pleased with the result and Cromwell's secretary undertook the task. Dissatisfied with this, Cromwell himself, as representative of the Council, now wrote to Whitelocke in flattering terms to beg his acceptance of this honor:

To the Right Honourable the Lord Whitelocke, one of the Commissioners of the Seal: These

MY LORD,

The Council of State having thought of putting your Lordship to the trouble of being Extraordinary Ambassador to the Queen of Swedeland, did think fit not to impose that service upon you without first knowing your own freedom thereunto. Wherefore they were pleased to command our services in making this address to your Lordship; and hereby we can assure you of a very large confidence in your honour and abilities for the employment. To which we begging your answer, do rest,

My Lord,

Your humble servants,

Whitehall, 2d September, 1653.

O. CROMWELL.
GIL. PICKERING.⁵

⁴ *Cal. S. P. Ven.* (1653-4), p. 111.

⁵ Whitelocke, *Journal of the Swedish Embassy* (1772), i, 9-10, where it is said

A messenger from the Council delivered the note to Whitelocke on September 4; but despite the flattering tone of the invitation, he was extremely reluctant to undertake the mission. He professed himself unfitted for it, but he dreaded equally to accept or decline, for fear, perhaps, of being assassinated like Dorislaus and Ascham if he went, or of falling into disfavor if he refused to go. Apparently his disinclination was communicated to the authorities, for on the next day Pickering went to him to try to persuade him to accept the commission, and after some conversation took him to the Protector who argued with him, according to Whitelocke's report of the conversation, as follows:

Conversation with Whitelocke, Sept. 5, 1653

Wh. My lord, I received your excellent letter butt yesterday, and am now come to waite uppon you to return my humble thankes for the great honor done me, in being judged worthy of so high a trust; but I begge your excellency's consideration of my want of abilities, both of body and mind for this service, and the season of the year; besides, there are some things relating to my private family, wherewith I have acquainted Sir Gilbert Pickering, which are of no smalle concernment to me.

Pick. That is, my lord, that his lady is neer her time of being brought to bed.

Wh. My lord, I am very free to serve the commonwealth in any thing within my capacity; and hope they will not expect from me what will be so great prejudice to me and my family, as this imployment now would be.

Cromwell. I am very sorry that the letter came no sooner to you.

Pick. I confes, it was my fault.

Crom. Sir Gilbert Pickering would needs write a very fine letter; and when he had done, did not like it himselfe. I then took pen and ink, and straightway wrote that letter to you. And the busines is of exceeding great importance to the common-wealthe, as any can be; that it is: and there is no prince or state in Christendome, with whom there is any probability for us to have a friendship, butt only the queen of Sweden. She hath sent severall times to us, but we have returned no ambassy to her, only a letter by a young gentleman; she expects an ambassador from us, and if we should not send a man of eminency to her, she would thinke herselfe slighted by us: and she is a lady of great honor, and stands much upon ceremonies.

Wh. The business being of so great concernement (as indeed it is) there is the more need of a person qualifyed with abilities for so great a charge which I have not, as your excellency and all that know me will conclude; and I know best my own defects. I want experience in forein affayres, and matters of state; in language and ceremony, of which the queen is so great a judge, and a lady that will soon discerne my disabilities, and make advantage thereof; nor will she look upon me, as a person of eminency fitt to be sent to her. So that (with

to have been "all written with Cromwell's own hand." Cp. *Hist. MSS. Comm.* *Rept.* 3, App. p. 192 for a copy with instructions signed by Cromwell. Whitelocke sailed from Tilbury Hope in the *Phenix* on Nov. 6. Lomas-Carlyle, App. 27.

submission to the judgment of your excellency and the councell) I must conclude my selfe altogether unfitt for this very weighty and high imployment, whereof divers other in the nation are fare more capable then I am.

Crom. The councell have pitched uppon you unanimously, as the fittest man in the nation for this service; we know your abilities, having long conversed with you; we know you have languages, and have travelled, and understand the interest of Christendome; and I have known you in the army, to indure hardships, and to be healthful and strong, and of mettle, discretion, and parts most fitt for this imployment: you are so indeed; really, no man is so fitt for it as you are. We know you to be a gentleman of a good family, related to persons of honor; and your present office of commissioner of the seale will make you the more acceptable to her. I doe earnestly desire you to undertake it, wherein you will doe an act of great merit, and advantage to the common-wealth, as great as any one member of it can performe; and which will be as well accepted by them: the buisnes is very honourable, and exceeding likely to have good successe. Her publique ministers heer have already agreed upon most of the materiall and maine points of the buisnes; if it had not bin such an imployment, we would not have putt you uppon it: the buisnes of trade, and of the funds, and touching the Dutch, are such as there cannot be any of greater consequence.

Wh. Your excellency will pardon me if I cannot subscribe to your favourable opinion of me; and I should be sorry, that a buisnes of so great concernement should suffer under so weake a management as by my hand: besides, that which Sir Gilbert Pickering is pleased to tell you of my wife's condition, is, to my private comfort, of as high consequence as may be. I would not seem unkind or ungrateful to such a wife; and this time of the year, it is hard for me to be putt upon so difficult and daungerous a journey.

Crom. I know my lady is a good woman, and a religious woman, and will be contented to suffer a little absence of her husband for the publique good; and for the time of the year, really the life of the buisnes consists in the dispatch of it att this time; the Dutch are tampering with the queen, butt she holds them off, expecting to hear from us.

Wh. I see your excellency is stayed for. I shall have some occasions into the country; and about a fortnight hence I will waite on you agayne, and in the meane time, you will give me leave to consider of this buisnes.

Crom. I pray, my lord Whitelocke, do not thinke of so long a time; butt lett me intreate you to accept of the imployment, and to return your answer within a few dayes to me.

Wh. I shall attend your excellency.⁸

Still Whitelocke hesitated. His wife begged him to consider her condition, the possibility of the bereavement of their family of twelve children, and his own danger, so that it was not until the morning of September 13 that he again went to Cromwell to discuss the matter — with what result he himself again records:

⁸ Whitelocke, *Swedish Embassy*, i, 12-15.

Conversation with Whitelocke, Sept. 13, 1653

Wh. I was to attend your excellency, butt mist of you.

Crom. I knew not of it; you are alwayes wellcome to me. I hope you have considered the proposall I made to you, and are willing to serve the commonwealth.

Wh. I have fully considered it; and with humble thankes acknowledge the honor intended me, and am most willing to serve your excellency and the commonwealth; butt in this particular I humbly begge your excuse. I have indeavoured to satisfy my owne judgement, and my neerest relations, butt can doe neither; nor gaine a consent, and I should be very unworthy and ungrateful to goe against it.

Crom. You know that no relations use to sway the balance in such matters as this. I know your lady very well, and that she is a good woman, and a religious woman; indeed I think she is: and I durst undertake, in a matter of this nature, wherin the interest of God and of his people is concerned, as they are in your undertaking of this busines, I dare say my lady will not oppose it.

Wh. Truely, sir, I thinke there is no woman alive desires more the promoting of that interest; butt she hopes it may be done as much, if not more, by some other person.

Crom. Really I know not in England so fitt a person as you are for it.

Wh. Your excellency cannot butt know my want of breeding and experience in matters of this nature, and of language.

Crom. I know your education, travayle, and language, and experience, have fitted you for it; you know the affayres of Christendome as well as most men, and of England, as well as any man, and can give as good an account of them. I think no man can serve his countrey more then you may herein; indeed I think so, and therfore I make it my particular suit, and earnest request to you to undertake it: and I hope you will show a little regard to me in it; and I assure you that you shall have no cause to repent it.

Wh. My lord, I am very ready to testify my duety to your excellency. I acknowledge your many favours to me, and myselfe an officer under your command, and to owe you obedience. Butt your excellency will not expect it from me in that wherin I am not capable to serve you: and, therfore, I make it my most humble suit to be excused from this service.

Crom. For your abilities I am satisfied; I know no man so fitt for it as yourselfe; and if you should decline it (as I hope you will not) the commonwealth would suffer extremely by it, your own profession perhaps might suffer likewise, and the protestant interest would suffer by it: indeed you cannot be excused, the hearts of all the good people in this nation are sett uppon it, to have you undertake this service, and if you should waive it, being thus, and att such a time when your going may be the most likely means to settle our busines with the Dutch and Danes, and matter of trade, (and none, I say again, can doe it better then you); the commonwealth would be att an extreame prejudice by your refusall. Butt I hope you will hearken to my request, and lett me prevayle with you to undertake it: neither you nor yours, I hope, shall ever have any cause to wish you had not done it.

Wh. My lord, when a man is out of sight he is out of mind. Though your excellency be just and honorable; yett your greater affayres calling you off, those to whom matters of correspondence and supplyes must be referred, will perhaps forget one who is afarre of, and not be so sensible of extreamities in a forein countrey as those who suffer under them.

Crom. I will ingage to take particular care of those matters myselfe, and that you shall neither want supplyes nor any thing that is fitt for you: you shall be sett out with as much honor as ever any ambassador was from England. I shall hold myselfe particularly obliged to you if you will undertake it; and will stick as close to you as your skin is to your flesh. You shall want nothing either for your honor and equipage, or for power and trust to be reposed in you, or for correspondence and supplyes when you are abroade; I promise you, my lord, you shall not. I will make it my busines to see it done. The parlement and councell, as well as myselfe, will take it very well, and thankfully from you to accept of this imployment; and all people, especially the good people of the nation, will be much satisfyed with it: and, therfore, my lord, I make it againe my earnest request to you to accept this honorable imployment.

After a pause in which Whitelocke considered the disfavor in which he would be if he refused to go:

Wh. I see your excellency is inexorable for my excuse; and much sett uppon it, with more then ordinary earnestness, for me to undertake this service, for which, (though I judge myselfe insufficient) yett your judgement and the councell's is, that I am capable to doe some service to the common-wealth and to the protestant interest herin, and to the honor of God, which is above all other motives: and hoping, that it may be so; and to testify my regard and duety to your excellency, who have honored me with your personall request for it, and the councell having unanimously pitched uppon me; and to manifest that I am not selfe-willed, and how much I value your excellency's commands, and can submitt my own to better judgements, I am resolved to lay aside further considerations of wife, children, friends, fortune, and all objections and feare of daungers, and to conforme myselfe to your excellency's desires, and to the votes of the councell, by accepting this difficult and hazardous imployment; and doe rest confident of your excellency's care and favour towards me, who undertake it by your command: and hope that such allowances and supplyes will be afforded me, and such memory had of me in my absence, as shall be agreeable to the honor of the nation, and of yourselve, and the busines, as also of your servant.

Crom. My lord, I doe most heartily thanke you for accepting the imployment, wherby you have testifyed a very great respect and favour to me, and affection to the common-wealth, which will be very well taken by them; and I assure you, that it is so gratafull to me, who, uppon my particular request have prevayled with you, that I shall never forgett this favour, butt endeavor to requite it to you and yours; really, my lord, I shall: and I will acquaint the councell with it, that we may desire further conference with you.⁷

⁷ *Ibid.*, pp. 31-36.

It is apparent from Whitelocke's own account and from other sources that his disinclination to go to Sweden was not due entirely to the reasons which he gave, and it is scarcely less evident that he yielded to Cromwell's solicitations as much through fear of the consequences of a refusal as from public spirit—or vanity. Whatever his motives, he finally agreed to go and on the next day Parliament officially confirmed his appointment.⁸ Thus by the first week in September foreign affairs seemed in better shape than they had been since the beginning of the Commonwealth. Negotiations with the Dutch still went on and Whitelocke's appointment gave hopes of solving the problem of the Baltic.

This was the more important in that the decay of trade joined to the popular dissatisfaction which had found expression in the disturbances connected with Lilburne's trial had provided Royalists and Levellers with new inspiration for their opposition to the existing government. The activities of Thurloe and his agents began to uncover a mass of information in regard to plots against the administration and especially against the General,⁹ for he was the chief object of the conspiracies. As L'Estrange observed, "there was small encouragement to form any design unless upon his person. For betwixt divers renegade Royalists and mercenary malcontents of his own party it was scarce possible to act without discovery."¹⁰ Intelligencers, new and old, appeared with information, true and false, to claim rewards for their services and it is evident that there were changes in the secret service.¹¹ On his part Cromwell did everything he could to avert the wrath of his opponents, going so far in his leniency toward the Royalists as to rouse the anger of his more violent supporters. His every effort was directed toward a policy of "widening the basis of the Commonwealth," and it is apparent that, having conquered the Royalists, he was doing all he could to conciliate them and to reconcile all elements to his ascendancy.

None the less the plots increased and on September 7 the General was requested by the Council to confer with Thurloe in regard to certain secret propositions, probably relating to plans for a rising.¹² New agents were hired and a new crop of spies and informers offered their services. In the meantime, however, some Royalists had begun to find their way back to England under what they conceived the protection of the Act of Oblivion and Indemnity of 1651-2 to claim a pardon and submit to the Commonwealth. It was natural that many of these men laid them-

⁸ *C. J.*, vii, 318; letter of confirmation dated Oct. 21, in Stockholm archives.

⁹ A letter from the Hague, July 25/Aug. 4, declared that some one was ready to assassinate Cromwell as soon as the time was ripe. (*Cal. S. P. Dom.* 1653-4, p. 50.)

¹⁰ L'Estrange, *Memento*, pt. I, quot. in G. Kitchin, *Life of Roger L'Estrange* (L., 1913), p. 41.

¹¹ *Cp. Cal. S. P. Dom.* (1653-4), pp. 133-4.

¹² *Ibid.*, p. 136.

selves under suspicion of becoming Cromwellian agents, and among them the case of Sir Roger L'Estrange provides both an illustration and a curious side-light on Cromwell. Relying on the Act of Oblivion, L'Estrange had returned to England and, like Lilburne before him, "finding himself within the Act of Indemnity" had notified the Council of State of his arrival. He was summoned before the Council and examined in August and again in September.¹³ He had made every effort to see Cromwell and had striven to ingratiate himself with Thurloe, insisting that his return was due to his private affairs and endeavoring to get permission to visit his father who was then on what proved to be his death-bed. This explanation the Council refused to accept, advised him that he was still subject to the penalties of treason, and forced him to stay in London. His efforts to see Cromwell led to the charge that he was a spy, and in reply to the accusation that he carried a "fiddle" under his coat to attract the General's attention, he told the story of their meeting:

. . . being at St. James' Park, I heard an organ touched in a low room of one Mr. Henkson [Hickson]; I went in and found a private company of some 5 or 6 persons. They desired me to take a viol and bear a part. I did . . . bye and bye without the least colour of design or expectation, in comes Cromwell. He found us playing and as I remember, so he left us.¹⁴

Whether as a result of this chance encounter or not, L'Estrange succeeded in gaining an interview with the Lord General, whom he had met some ten years earlier at Cambridge when L'Estrange was a prisoner on his way to court-martial at the Guildhall after the suppression of the Royalists in the eastern counties and Kent. On the present occasion, L'Estrange recorded later, Cromwell was friendly. He assured his visitor that the "rigour" against the Royalists "was not at all his inclination," though he added that he was "but one man" and that he wished they would "give better testimony of their quiet and peaceful intentions." Apparently he interceded with the Council, for "Cromwell's fiddler," as L'Estrange was later called from this incident, was permitted to go to his father's bedside on the last day of October.¹⁵

This little glimpse of the Lord General, his wanderings about the precincts of Whitehall and St. James', his love of music, and his conciliatory attitude, forms a curious interlude in the grim business which was then his chief occupation. It is not surprising that he was inclined to seek the good will of the Royalists. Harrison and his followers in Parliament and the country were now more or less at odds with the General, who on his part drew closer to Lambert. Rumor spoke of the

¹³ *Ibid.*; *Sev. Proc.*, Aug. 21.

¹⁴ L'Estrange, *Truth and Loyalty Vindicated* (1662), p. 50.

¹⁵ *Ibid.*, pp. 49-50; see also Kitchin, *Life of L'Estrange*, p. 37; and *Dict. Nat. Biog.*

divergence between Cromwell and Parliament and his lack of cordiality toward a score of members who had sought his advice. Some months later Henry Cromwell replied to Ludlow's query as to why the Lord General had exchanged that post for the title of Protector by explaining that "You that are here [in Ireland] may think he had power, but they made a very kickshaw of him at London."¹⁶

Nor were his opponents to be found only in Parliament and administration. At this moment there were scattered through London streets by night some hundreds of copies of a broadside entitled *A Charge of High Treason exhibited against Oliver Cromwell, Esq.* It denounced him for not having called an elected Parliament and it went so far as to summon a new Parliament whose House of Lords should meet on October 16; and the fact that on September 15, the Council of State appointed a committee to search for the press whence it came and to open letters suspected of being concerned with it, indicates the importance the authorities attached to it and their nervousness at such an attack.¹⁷ It was even reported that Cromwell offered money from his own pocket for the apprehension of its author.¹⁸ Two printer-booksellers, John Clowes and Robert Austin, were sent to the Gatehouse,¹⁹ and informers soon turned up four more who suffered a like fate.²⁰ The author seems to have eluded the search for him, but the fact that John Lilburne was then in London, though in prison, might have given the authorities some clue to the writer of the pamphlet.²¹

This was not the only attack upon the General at this time, for at this moment Cornet Joyce, now lieutenant-colonel and governor of Portland, who had been granted an estate of £100 a year by Parliament, presumably for his share in the capture of Charles I, came into conflict with the Lord General. He had disapproved of the dissolution and had accused Cromwell of desiring to become king, but the real quarrel came, Joyce asserted, over the possession of Finchley Park in Hampshire, which Richard Cromwell had occupied for several years and which Joyce wished to buy. Joyce claimed that the General and his son prevented the purchase and that Cromwell introduced into the transaction a charge of treasonable language, persuading one of the governor's officers, Lieutenant Rix, to testify that Joyce had said he was sorry that Lockyer's pistol which was pointed at Cromwell's head at Triploe Heath had not been discharged. Whatever the truth of Joyce's story, the General had

¹⁶ Ludlow, *Memoirs*, i, 381–2.

¹⁷ *Cal. S. P. Dom.* (1653–4), p. 151. A report on it was made to Parliament on Oct. 11 (*ibid.*, p. 197).

¹⁸ Paulucci to Sagredo, Sept. 23/Oct. 3, *Cal. S. P. Ven.* (1653–4), pp. 132–3.

¹⁹ *Cal. S. P. Dom.* (1653–4), p. 436. See also *ibid.*, pp. 156, 161.

²⁰ *C. J.*, vii, 333.

²¹ Cp. W. M. Clyde, *Struggle for the Freedom of the Press* (Oxford, 1934), pp. 237–8.

him imprisoned for some ten weeks and finally cashiered him; and, to make his tale still better, Joyce alleged that when Rix asked for a reward, Cromwell charged him with having behaved in an unchristian manner toward Joyce and 'bade him go like the knave he was.'²² On his part Rix published a denial of his alleged part in the transaction, which, like Joyce's story, did not appear until after Cromwell's death.²³

Like the *Charge of High Treason*, the Joyce incident disturbed General, Council and Parliament, in view of the general dissatisfaction with the new administration. The Venetian envoy reported that for the moment the government not only neglected foreign affairs altogether but was unable to cope with domestic problems,²⁴ and in spite of its zeal for reform — or on account of it — the Parliament as well as the administration became conscious of the growing weakness of their position. For whatever reason, at this moment, on September 20, the House voted to offer Cromwell Hampton Court in exchange for his Essex estate of Newhall which he had never used. The transaction is not entirely clear. The General had been offered the use of Hampton Court after Worcester, but there is no evidence that he had taken advantage of the offer and the palace had been put up for sale soon afterward and much of the surrounding estate had been disposed of. It was offered for sale again in August, apparently in vain. There seemed no use for it save as the residence of a ruler, and when Sir Anthony Ashley Cooper carried Parliament's proposal to the General, he reported back on September 26 that it was accepted,²⁵ and Cromwell presently spent all the time he could spare from Westminster at Hampton Court which became his favorite residence.

This incident was only another evidence that there was need for a strong hand at the helm of state and whose hand that must be. London, Paulucci wrote, was kept in subjection only by armed force,²⁶ as, indeed, was the country at large. The Scottish Highlands were particularly restless. In August the Earl of Glencairn had headed a rising there which Lilburne had not been able to suppress. That commander was charged, moreover, with showing too much favor to the extreme sectaries in his army and giving too little consideration to the Scottish Presbyterians.²⁷ Fearing the result of the meeting of the General Assembly

²² *True Narrative of . . . Cromwell's anger against Lieutenant Colonel Joyce* (June, 1659); repr. in *Harl. Misc.*, viii (L., 1746), 293–6. See also Bernardi's report, Oct. 6, in *Atti della Soc. Ligure di St. Patria*, xvi, 115.

²³ *Innocencie Vindicated* (1659). Joyce presented his defence on Oct. 26. *Sev. Proc.*, Oct. 20–27.

²⁴ Paulucci to Sagredo, Sept. 17/27, *Cal. S. P. Ven.* (1653–4), p. 129.

²⁵ *Sev. Proc.*, Aug. 18–25; *C. J.*, vii, 321, 324.

²⁶ *Cal. S. P. Ven.* (1653–4), pp. 132–3.

²⁷ *Military Memoirs of John Gwynne; An Account of Glencairn's Expedition* (Edinb., 1822).

and receiving no orders from the General and Council on the subject, he had sent a warning to its members that unless they met by the authority of Cromwell or the Parliament, they must disperse — which they did, but only after a threat of forcible dissolution and under guard of English soldiers.²⁸ The seriousness of the situation was indicated by the fact that after several days' consideration the General and Council had decided to send ten thousand additional troops to Scotland.²⁹ To get them there, however, was another matter. Though Argyll was keeping his engagement, even to the extent of providing an escort through hostile country for shipwrecked English sailors,³⁰ the passage by sea was made difficult by the Dutch war, on account of the danger of attack and of the lack of shipping.³¹ The plan of union between England and Scotland, which both Cromwell and Argyll favored, not only had destroyed the latter's ascendancy in Scotland but had made Lilburne's task of keeping order more difficult. Nor were the English commander's difficulties lessened by the fact that he was not suited to the task which was laid on him, as his reports to the General indicate, while Argyll was no longer of much assistance owing to his unpopularity as the alleged betrayer of his country's independence.

Under such conditions of unrest and disturbance throughout Great Britain, the General had been deeply concerned with the conclusion of the Dutch war which, though it languished, had not yet ceased. The project of the union of the two countries had not been wholly abandoned but unofficial, undercover negotiations had taken the place of open conferences. They centered, as usual, around Cromwell. Some now unknown person who had access to the General had taken to him a memorandum of questions from Beverning and van de Perre inquiring how the proposed government of the two states would work. The answer was not clear or satisfactory, and on September 23 a second mediator, apparently the old fen engineer, Sir Cornelius Vermuyden,³² presented himself to van de Perre³³ with an amazing proposal for a perpetual alliance, offensive and defensive, between the two governments, a joint fleet, "mutual admission to civil rights" in commerce, fisheries, land and citizenship, though there was to be no political amalgamation. Trade was to be open both in Europe and Africa and the rest of the world was to be

²⁸ Lilburne to Cromwell, July 21, in Firth, *Scotland and the Commonwealth*, p. 162; *Perf. Diurn.*, July 27.

²⁹ *Perf. Diurn.*, Aug. 22-29, Aug. 29-Sept. 5; *Cal. S. P. Ven.* (1653-4), p. 125.

³⁰ Firth, *Scotland and the Commonwealth*, p. 221.

³¹ Lilburne to Cromwell, Sept. 22, *Cal. S. P. Dom.* (1653-4), p. 172.

³² This is assumed because of the similarity of the propositions set forth in the *Verbael* and those in Thurloe, ii, 125, which are said to have been delivered by Vermuyden.

³³ *Verbael*, pp. 143-46.

divided between these two great sea-powers; the Netherlands taking Asia; England, the Americas, except Brazil; and the English East India Company being compensated for the loss of its trade in the Orient. To carry out this far-reaching plan it was proposed to set up two commissions, each consisting of four English and four Dutch representatives, with power to decide all disputes between the citizens of the two countries, and missionaries were to be sent by both countries to proclaim the faith of Jesus Christ and the Gospel in accordance with the principles of Calvinistic Protestantism.³⁴

This amazing proposal, though it did not mention Spain and Portugal, was obviously directed against those powers. It was no less obviously a combination of the joint attack made half a century earlier by Dutch and English against the Spanish-Portuguese colonial and commercial monopoly of the extra-European world and the French minister Sully's dream of a Protestant federation. To this alliance, in fact, the authors of the proposal added provisions to admit Denmark, Sweden and Protestant German princes, even France, if she would grant liberty of conscience to her Huguenot subjects, while all powers committed to Roman Catholicism and especially to the Inquisition were to be regarded as enemies. By such a plan the project of political union, so obnoxious to the Dutch, would be avoided; the commerce of both countries stimulated; and a blow struck against Catholicism everywhere, especially in Spanish and Portuguese possessions. It echoed the great days of the Revolt of the Netherlands and of Elizabeth, of William the Silent and Maurice of Nassau, of Drake and Raleigh, in whose tradition the leaders of the Commonwealth had been bred. This grandiose scheme forms the best example of the English Puritan ideal in world affairs, a combination of commerce and Calvinism. It was a conception only equalled, as it was perhaps suggested, by the success of its predecessor, commerce and Catholicism, which a century and a half earlier had inspired those powers from which the reformed communions now proposed to wrest the spoils of that earlier crusade which had spread the Spanish-Portuguese empire throughout the extra-European world.

Meanwhile in the midst of these negotiations, the General and his Council turned to consider the problem of Ireland and especially of Irish lands. On September 26 Parliament passed an Act ratifying the orders and instructions issued by the Council of State in June in regard to the satisfaction of the Adventurers in Irish lands and regulating the procedure to be followed in colonizing that country.³⁵ On the basis of the Act of 1642 there began the process of settling the incredibly complicated problem of the conflicting claims of conquerors and conquered. The first step was the division of the spoils. Drawings for land were later set for

³⁴ *Ibid.*, pp. 149-53.

³⁵ Firth and Rait, ii, 722-53.

January 12 and 19, 1653-4;³⁶ and in this both the General and his son-in-law Fleetwood were concerned, for each had been assigned estates in King's County, Leinster.³⁷

On the day after the passage of this Act in which he was so much involved in both his public and his private capacity, it seems that the General went to the Council meeting and thence to Woolwich with other members of Parliament to witness the launching of Monk's new ship the *Swiftsure*, returning in the evening to Westminster with its commander.³⁸ With such an infinity of details pertaining to his office — letters from officers in the army and the navy, requests to remove soldiers from their quarters in Sion College, orders from Parliament and the Council, the issue of commissions and like minor matters — until October the General's attendance on the Council of State and Parliament was most irregular, as might be expected.

Among these lesser details of administration one took his interest into a wider field and was not unconnected with the broader issues of foreign policy. An English captain who, apparently, on the decline of English trade during the Dutch war, had put his ship in the Venetian service had been taken prisoner by the Turks. The English ambassador in Constantinople, Sir Thomas Bendish, had not been able to secure his release, and the Levant Company refused to make an issue of a man who had brought trouble on himself by entering the service of the Venetians, their actual or potential rivals. The captive and his father, a merchant named Thomas Gallilee, whose name suggests an alien origin, had petitioned the Council earlier to use England's influence with the Venetian ambassador to secure the captain's release, inasmuch as Gallilee was in the Venetian service. They had received an order in favor of the captive,³⁹ but nothing had come of it and meanwhile the scarcity of money and the expenses of the war had forced the Commonwealth government to order the replacement of ambassador Bendish⁴⁰ with an agent, Major Richard Lawrence, to whom Cromwell now wrote in an endeavor to free the captive:

To Mr. Laurens

[SIR],

The annexed letter of Sir Thomas Bendishe bespeaks the son of Mr. Gallilee

³⁶ Announced in *Perf. Diurn.*, Dec. 13, 1653.

³⁷ Original list with acreage and amount adventured in *St. P. Ireland*, ccc, p. 146 (*Cal. S. P. Irel., Adventurers*, 1642-59, p. 346). See also *Cal. S. P. Irel.* (1647-60), p. 453.

³⁸ *Faithful Scout*, Sept. 23-30. Monk was married about this time, and on Oct. 14 a newsletter from London declares that his marriage lessened his esteem in Cromwell's judgment. Macray, ii, 266.

³⁹ *Cal. S. P. Dom.* (1652-3), pp. 120, 379.

⁴⁰ *C. J.*, vii, 301; *Cal. S. P. Dom.* (1653-4), p. 78. See Aug. 14, 1654, for Cromwell's letter sending Salwey as ambassador.

to be a valiant man though now a captive, yet true and courageous to his trust. Such a man may do his country good service. His father assures me that two lines from my hand to you will procure his release. An act of so much charity to a man of valour and fidelity to his trust I cannot refuse to the father of such a son. Do your best for his speedy release and return, which cannot but be acceptable to this State, as it will be also unto, Sir, your affectionate friend,
October the 4th, 1653.

Endorsed "Thomas Galilee."

O. CROMWELL⁴¹

Slight as it is, the Gallilee incident throws some light on the complexities of the situation which faced the General and his Council at this moment. The Dutch war, the threat of disturbance in England, the Glencairn rising in Scotland, the ineptitude and unpopularity of the makeshift Parliament, combined to embarrass a government hampered by lack of supplies and by the tremendous expense of land and sea forces which under the circumstances could not be reduced. In consequence every effort was made, unofficially, to bring hostilities with the Dutch to an end. The proposals for an alliance had been followed, still unofficially, by similar articles presented by a third mediator.⁴² But the English government could take no further steps and the Dutch envoys obviously could not agree to such a drastic and far-reaching arrangement without the consent of their superiors. In consequence van de Perre's son was provided with a special passport signed by Cromwell on October 4 to go to the Netherlands to carry the English proposals directly to the Dutch government.⁴³ Other foreign representatives lent their aid to compose the quarrel, and to Stockar, the Swiss envoy who had been instructed to offer the good offices of the Swiss to help end hostilities, Cromwell declared with tears in his eyes that nothing troubled him so much as the Dutch war.⁴⁴

Meanwhile the threat of an English rising remained, and though the means taken to meet it were the usual routine measures they put an extra burden on the General. The Isle of Wight was considered a danger-point, the Western Islands of Scotland were openly rebellious, and Lilburne complained of the absence of his officers on leave in England. The General was prompt to act. He ordered the return of the absent officers;⁴⁵ he asked for suggestions from the governor of the Isle of

⁴¹ Lomas-Carlyle, Suppl. 82, from *S. P. Dom. Interr.* xli, 16. Lawrence was never received (see *infra*); and in April, 1654, Gallilee and his father again petitioned for his release.

⁴² *Verbael*, pp. 155-9.

⁴³ *Ibid.*, p. 161; *Cal. S. P. Dom.* (1653-4), p. 184.

⁴⁴ *Verbael*, pp. 160-1; a letter in Thurloe, i, 534, dated from London, Oct. 10/20, says Cromwell desired peace as much as Holland did.

⁴⁵ Lilburne to Cromwell, Oct. 6, Firth, *Scotland and the Commonwealth*, p. 240; *Cal. S. P. Dom.* (1653-4), p. 199.

Wight for ensuring the safety of that island from Royalist designs;⁴⁶ while Fleetwood in Ireland and Lilburne in Scotland were instructed to be ready to secure the Western Islands and ships for that purpose were put at Cromwell's disposal.⁴⁷ And, to complete the tale of his many and varied activities in this first fortnight of October, he found time to re-appoint John Owen as Vice-Chancellor of Oxford for the ensuing year,⁴⁸ and to recommend the University printer, Lichfield, as bedel in place of his earlier nominee, Bond:

*For my Reverend and worthy friend the Vicechancellor and Convocation
of the University of Oxford: These*

GENTLEMEN,

Hearing that a Bedle's place in the University is vacant by the resignation of Mr. Bonde whom I formerly recommended unto you, and having information of the fitness of Leonard Lichfield, printer to the University, for the discharge of that place that it may be an encouragement to him to be further serviceable unto you in his faculty so nearly related to your studies. I do recommend him unto you for that employment not doubting but that if you shall judge him meet for the place, he will faithfully discharge it, and by his diligent service, in the performance of his duty, answer the recommendation from

Gentlemen,

Cockpitt,
Octob: 14: 1653

Your loving friend,
O. CROMWELL⁴⁹

The next day he signed an appointment of Edward Salmon as colonel of a foot regiment,⁵⁰ and about this time he called attention to the fact that his recommendation of a friend to a post in the Customs office had been neglected:

*For my honoured Friends, the Committee for Regulating the Customs:
These present*

GENTLEMEN,

I am sorry after recommendation of a friend of mine the bearer hereof,—considering him in relation to his poor parents an object of pity and commiseration, yet well deserving and no less qualified for employment,—he should find such cold success amongst you.

His great necessity and my love once more invites me to write unto you, in his behalf, to bestow on him (if it may not be in this city by reason of multi-

⁴⁶ *Ibid.*, p. 191.

⁴⁷ *Ibid.*, p. 189.

⁴⁸ Copy of appointment in Oxford Univ. Archives, *Acts of Convocation*, 1647-59, p. 223. See his first appointment of Owen, Sept. 9, 1652, *supra*, ii, 577. See reappointment Aug. 22, 1655, *infra*.

⁴⁹ Oxford Univ. Archives, *Acts of Convocation*, 1647-1659, p. 224. Mr. Lichfield was duly appointed to the position.

⁵⁰ Sold in 1918 (*Autog. Prices Current*) and offered for sale in Maggs' Catalogue, no. 473 (1926), item no. 154.

plicity of suitors) a place in the out-ports: and I doubt not but his utmost abilities will be improved to the faithful discharging of such trust as you shall impose in him, for the good of the Commonwealth. And thereby you will engage him who remains,

Your affectionate friend,

[October — 1653]

OLIVER CROMWELL.⁵¹

Of direct references to his other activities at this time there is only one other note to the effect that on October 21 he wrote a letter to Speaker Rous in connection with that part of the bill for "Deafforestation, Sale, and Improvement, of the Forests" which would provide payment of arrears to a foot brigade raised in Chester for the engagement at Worcester.⁵² But this was of little importance at that moment in comparison with the continuing problem of peace with the Dutch which in these anxious weeks divided attention with the threat of Royalist-Leveller rising. The young van de Perre seems to have returned to the Netherlands directly on receiving his passport, taking with him information which was too confidential — and perhaps too nebulous — to commit to paper. Of this the most important item was the scheme of dividing the world into spheres of influence of the two great naval powers. Cromwell was willing, he reported, even anxious, to proceed with a treaty without any provision for the union of the two countries. That was a step forward, and though the propositions which the young van de Perre took with him were not received with much enthusiasm, they encouraged the States General to send Jongestal and Nieupoort back to London to renew the negotiations on the basis of a closer alliance. Moreover, to help clear the way to agreement, they assented to the English suggestion that all prisoners be released,⁵³ which seemed to indicate that there was some prospect of a solution of the problems at issue and a treaty.

Though this was the most immediately important, it was not the only question in foreign affairs. There remained the complex situation of France, Spain, the Bordellais, the Rochellois and the intrigues of Condé. Spain was being urged by Archduke Leopold to strengthen its alliance with the Commonwealth. In this he was supported by the Rochellois Conan who had earlier come as Condé's agent and now reappeared, and by Colonel Sexby, returned from France whither he had been sent in 1651 by Cromwell, Scot and Whitelocke. There he had come in touch with leaders of the Fronde and of the rebellious city of Bordeaux, where, curiously enough, there had been made a translation of the *Agreement of the People* to serve as a manifesto for the Bordeaux republicans. With republicanism, especially French republicanism, Cromwell was not con-

⁵¹ Lomas-Carlyle, CXC, from *Harl. MSS.*, 4165, f. 25.

⁵² C. J., vii, 353 (Nov. 19). See *Cal. S. P. Dom.* (1656–7), p. 197.

⁵³ Newsletter from the Hague, Oct. 13/23, in Macray, ii, 264; Resolutions in Thurloe, i, 535, 538.

cerned, but like most men of his age and temper he recalled vividly the encouragement given by Charles I to the Rochellois, the failure of the expedition to the Isle of Rhé, and the consequent crushing of the Huguenots. Like them he felt the humiliation of that failure and dreamed of avenging it and succoring his fellow-Protestants, or, as he was reported to have said a few months later, 'England had ruined the Protestant party in France, and England must restore it.'

Both Conan and Sexby urged Cromwell to close with Spain in opposition to France, whose position was at least equivocal, if not actually hostile to England. It was said that — possibly at this time — Cromwell offered Conan six thousand men and some ships to revive the war in Guienne on condition that Spain would undertake to meet the expenses of such a force.⁵⁴ Before undertaking such an adventure, however, Cromwell wanted the advice of an expert, and for this he found an emissary to his liking — the engineer Joachim Hane, but lately employed in constructing fortifications in Scotland and qualified to report on the situation in France, both religious and military. On October 11, despite Colonel Lilburne's earnest request for his services, Cromwell had sent the German engineer on one of the most obscure of all the obscure Cromwellian adventures in foreign affairs, as "a gentleman travelling for his pleasure" but, so far as may be judged from his own narrative, to "view" French maritime fortresses with the possibility of a joint attack by England and Spain in mind.⁵⁵

It seems tolerably certain that the General still entertained the plan of securing a foothold on the Continent, but it is obvious in this, as in his negotiations with Holland and his insistence on Whitelocke's undertaking the embassy to Sweden, that, apart from the more worldly considerations of politics and commerce, he looked forward to the championship of Protestantism. This project had hitherto concerned itself chiefly with France and the Netherlands; with Whitelocke's mission it took wider range and revealed greater importance, though that negotiation was still more strongly economic in its motives. That mission got under way slowly, expedited somewhat by Cromwell's agreement to ask the Council for an increase in Whitelocke's allowance, which was duly granted.⁵⁶ As a further gesture, on October 19 the Council voted to entertain at supper the Swedish ambassador, Lagerfeldt, who was about to return home. At the General's request, Whitelocke delivered the invitation and accompanied the ambassador to the entertainment, which was held in Grocers' Hall and, like other such functions, was transformed into a

⁵⁴ Cp. Gardiner, *Comm. and Prot.*, iii, 54; Firth, *Journal of Joachim Hane* (Oxford, 1895-6), introd., pp. xv-xvi.

⁵⁵ *Ibid.*, introd., p. vi-viii, xxiii.

⁵⁶ *Cal. S. P. Dom.* (1653-4), p. 171; Whitelocke, *Swedish Embassy*, i, 52-3, 69.

demonstration of the strength and unity of the revolutionary government. Besides the Council there were some three hundred officers present, headed by the General who sat at the end of the main table with Lagerfeldt, with Whitelocke on their right. The ceremony was opened by Hugh Peter who prayed and read the Scripture; after which the guests at each table in turn drank a health first to Cromwell, then to Lagerfeldt, who drank to each table; then everyone drank to Whitelocke wishing him a good voyage and respects to the Queen of Sweden. During the dinner, "the General discoursed a little in Latin with Lagerfeldt, Whitelocke more," and in the opinion of the new envoy to Sweden, the ambassador from that country was well entertained and suitably impressed.⁵⁷

That was the more important for two reasons. The first was the fact that, as Lagerfeldt was probably aware, there had recently been more or less serious demonstrations against the rule of the Saints especially in the capital. Three days earlier, on Sunday, October 16 — the day named in the *Charge of High Treason* against Cromwell for the assembling of the House of Lords and a new election for Parliament — there had been a disturbance in St. Paul's churchyard where some boys armed with stones tried to silence an Anabaptist soldier who was preaching there. The soldier's comrades retorted in kind, bystanders joined in, and in the midst of the ensuing riot the Lord Mayor, Fowke, emerged from the church and demanded to know by what right the soldier had been preaching there. The answer was a levelled pistol and more fighting, during which the City marshal was carried away by the soldiers. At once the mayor and sheriffs complained to Cromwell and the guards were trebled. In itself the incident was of small importance, such as has occurred many times between soldiers and civilians under such circumstances, but the situation created by Lilburne's trial was so tense that even a small spark might produce a great conflagration. As an intelligencer wrote, the City was "generally highly exasperated," and though it was, he said, "but a company of tame coknies," the government could ill afford the hostility of its chief source of supplies.⁵⁸

The animosity roused by Lilburne's trial and the accompanying controversy had brought into high relief the enmity between the radical and the conservative elements of society. At the same time that such instances of Parliament overriding the army as in the case of Sir John Stawell had produced friction between officers and parliamentarians, popular resentment had been roused against Parliament whose ineptitude and destructive tendencies continued to antagonize many both in and outside of the administration. Though the Levellers had all but disappeared as a

⁵⁷ *Ibid.*, pp. 68–9.

⁵⁸ Letter to Inchiquin, Oct. 16, Thurloe, i, 545; *Cal. S. P. Ven.* (1653–4), p. 142; *Sev. Proc.*, Oct. 17.

fighting force, their pamphleteers were active in denouncing those at the head of affairs. Lilburne's attacks had been reinforced by others, among them Captain Robert Norwood's *Fundamental Laws and Liberties of England Claimed*, which followed the lines laid down by Lilburne. They were directed no less against the General than against the Parliament, which was regarded as his creature, however much he now differed with it. The new attack was peculiarly important on account of its doctrine of sovereignty. As Cromwell had set the principle of divine approval of his cause against the Royalist doctrine of divine right of monarchy, the Levellers raised against them both the theory of the fundamental laws and liberties of Englishmen as expressed in custom and statute, courts and juries, which they claimed reflected the true sentiments and rights of the English people and were the supreme authority even above Parliament itself. To their contentions the seizure of power by the General and his officers and the incapacity of Parliament gave new force, and the spread of such principles was a threat to the General as well as to the Parliament.

To meet that threat they increased their armed forces in the City,⁵⁹ where the soldiers had been especially in evidence at Lilburne's trial, and they called upon their pamphleteers to defend them against the Levellers' attacks. In reply to *A Charge of High Treason* which had been especially directed against the Lord General, there appeared on October 20 a vigorous pamphlet, *Sedition Scourg'd, or a View of that Rascally and Venomous Paper, Entituled a Charge of High-Treason exhibited against Oliver Cromwell, Esq.*⁶⁰ Whether or not inspired by those in authority, it voiced the extreme doctrine of control of the press. Declaring, "Nor if a man may dare to speak it, are the Governors themselves wholly blameless for such Inconveniences" as the attacks on them. "For Printing," it went on to say in the best manner of the old Star Chamber doctrine, "being ever accounted among the *Regalia* of every Government . . . should be looked on with such a jealous and strict Eye; there should be such a circumspect Care of Prevention, and such painful pursuance of Misdemeanors, as would be required against the most dangerous Crimes." In brief the attack upon authority should be met by more authority especially in the field of freedom of speech. The situation was, in fact, becoming so strained that by the middle of October, according to Ludlow, the officers had already begun to discuss plans for the increase of executive power,⁶¹ and, it is hardly too much to assume, to consider the design which was to come to fruition two months later.

⁵⁹ On October 19 the Council voted to maintain Cromwell's regiment at 1200 men instead of 700. *Cal. S. P. Dom.* (1653-4), p. 207.

⁶⁰ Repr. in *Somers Tracts* (1748), iv, 459-66. Attributed on slender evidence to the Leveller leader, Sir John Wildman. See Clyde, *Freedom of the Press*, p. 238; and T. C. Pease, *Leveller Movement* (Washington, D. C., 1916), pp. 344-5.

⁶¹ Ludlow, *Memoirs*, i, 369.

Meanwhile unrest spread to the seamen, of whom, ten days later, some three or four hundred began to raise a disturbance in London and Westminster over their arrears in pay. One party was bold enough to accost Cromwell and Monk in the precincts of Whitehall and on being asked what they wanted, replied "justice and right." Monk drew his sword to intimidate the rioters and "belabored" some of them, wounding a few and driving off the rest. But on the next day, October 27, the outbreak threatened to become so serious that the Council issued a proclamation against the meeting of the sailors and called out a foot-regiment and some troops of horse which, with the General's life-guard, dispersed the mutineers, of whom one ringleader was hanged and another flogged. It was peculiarly unfortunate that the incident occurred just as the fleet was ready to sail from the Thames and as the Dutch envoys were arriving.⁶² The Council's proclamation recognized the justice of the seamen's protest by promising payment of arrears and prize-money. Cromwell himself, it was said, had already conferred privately with the City authorities in an endeavor to obtain a loan of £400,000 to satisfy the demands of the fleet, which the Venetian ambassador reported:

the people here will be reluctant to grant, as the universal murmur, only too freely uttered, runs that never was taxation so high as at present, and there is no doubt that only the dread of the military makes the English now submit to burdens, the bare mention of which, in bygone times would have driven them frantic.⁶³

In such a situation it seemed evident that steps must be taken to strengthen the revolutionary government both at home and abroad. On the day the General was accosted by the mutinous sailors, he sent one of his gentlemen with presents for Whitelocke — a sword and "a pair of spurs richly inlaid with gold of noble work and fashion," which, however suitable for an ambassador, had it not been for his tendency to ostentation might have seemed curiously out of keeping for the staid and sober lawyer who now undertook this delicate and possibly dangerous mission.⁶⁴ He received instructions on October 29 to the effect that he was to endeavor to arrive at an understanding with Queen Christina's government to join England in opening the Sound to free passage of commerce, "that it may not depend upon the will of the King of Denmark or the United Provinces" to close the Baltic to the trade of other countries.⁶⁵ The next day, which was Sunday, the General invited the new envoy to midday dinner at the Cockpit, and after dinner took his

⁶² *Merc. Pol.*, Oct. 27–Nov. 3; *Perf. Diurn.*, Oct. 31; Whitelocke, p. 567; Macray, ii, 273; Paulucci to Sagredo, Nov. 3/13, *Cal. S. P. Ven.* (1653–4),

p. 145.

⁶³ *Ibid.*, p. 144 (Oct. 27/Nov. 6).

⁶⁴ Whitelocke, *Swedish Embassy*, i, 75.

⁶⁵ *Ibid.*, pp. 89–92.

guest aside to a private room to have a last conversation before White-locke sailed, as he did on November 6; and so the two men parted, as Whitelocke records, with every expression of mutual confidence and esteem:

Conversation with Whitelocke, Oct. 30, 1653

Wh. My lord, I am to take my leave of your excellency, and probably my last leave; butt while God shall afford me life, I assure your excellency, I shall be diligent and faithfull in the trust reposed in me.

Crom. My lord, if we had had the least suspition of your fidelity, you had not bin troubled with this imployment; but we have had sufficient experience therof, and of your diligence, and abilities; and I doubt not, butt God will blesse you, and give you a safe and honourable returne to your native countrey; which I heartily wish, and pray for; indeed I doe.

Wh. I doubt not of your excellency's good wishes, uppon whose account chiefly I have undertaken this service; and I assure myselfe of the favour and assistance of your excellency, in any thing that may concerne me in my absence; wherin I have two or three humble requests to you.

Crom. You shall find me what I have said, a faithfull, and affectionate friend to you, both present and absent. I pray, lett me knowe, what you would particularly leave to my care, and I promise you, I shall not fayle you in any thing of concernment to you.

Wh. One of my suits is, that if, in my absence, my wife, or friends, shall have occasion to attend your excellency on my behalfe, that they may have the favour of accesse to you, and your excellency's assistance.

Crom. They shall, att any time, be wellcome to me; and I shall give order for their admittance, and my best furtherance in any matter which shall concerne you.

Wh. I humbly thanke your excellency; and doe further intreate, that my bills of exchange upon the councell may be answered, and not delayed: your servant's credit will depend uppon it, and a fayler therin, especially in a forrein country, is a tender thing.

Crom. I confess that is a tender point; and you may be confident, you shall not be fayled nor delayed therin; our credit would be wounded therby. I will take particular care for answearing your bills speedily; nay, I will say more to you, I know your allowance is butt small, I wish it had bin more, yett, if I live, I will see that you shall be no looser by this imployment; and though your occasions shall require the expence of more then your allowance, I will see that it shall be paid: butt I would have you to be as good a husband as you can.

Wh. I shall not spend extravagantly, butt the honor of the commonwealth, and safety of your servant, requiring it; which I doubt my allowance will not answer.

Crom. I will see you shall be no looser; butt honorably recompenced for your service.

Wh. I most humbly thanke your excellency, and shall depend uppon your honor; and further intreate, that a constant intelligence may be given me of

your affayres heer, wherby I may be inabled to give a full and clear account therof, and have the more repute abroade by it: and your excellence knowes, that full and frequent intelligence gives live to state affayres, especially forrein.

Crom. It is necessary your lordship should have a constant correspondence and intelligence from hence kept with you, and, for that end, your friend, Mr. Thurloe, who is an able and carefull man, shall not fayle you.

Wh. I shall be very glad of his correspondence; and since your excellence allowes me this liberty, give me leave to intreate your opinion in some particulars of my instructions. If I find the queen willing to joyne with you, for the gaining of the Sundt, and against the Dutch and Danes, and that heartily and hopefully; shall I putt on that buisnes to the utmost, and are you willing to enter into such a conjunction?

Crom. If you find them inclinable to it, putt it on as farre as you can, and lett us heare from you, what you judge best to be done in it. No buisnes can be of greater consequence to us, and our trade, wherin the Dutch will endeavour to over-reache us; and it were good to prevent them, and the Dane, and first to serve our own interest.

Wh. I shall give your excellence a clear account of it; and I believe it will bring the Dutch to reason as soon as any thing; and that your excellence will not much depend uppon them, or the Dane, butt where their own interest will be served.

Crom. We shall freely leave that, and the whole buisnes, to your care and prudent mannaging.

Wh. I shall doe the utmost in my capacity to serve you; butt must expect to have my actions traduced, and scandalized: butt I hope your excellence will give no credit to whisperings, or officious words, or letters of pickthanks behind my backe.

Crom. I shall not easily give beliefe to such backbiters, I hate them; and what I shall be informed of your actions abroade will hardly create in me an ill opinion of them, before I be certifyed from your selfe.

Wh. It may be your excellence will heare, that I am great with some cavaliers when I am abroade, and that I make much of them; and truely that may well be, I love a civility to all, especially to persons of condition, though ennemis; and have ever used it, and perhaps may use it more then ordinary when I am abroade; and to those of the king's party, and by them I may be the better inabled to secure myselfe, and to understand their designes, which will be no disadvantage to your affayres: nor shall I ever betray those, or any persons by whom I am trusted.

Crom. I thinke such a carriage towards them will be prudent, and fitt for you to use; and it will never occasion in me, nor I hope in any other sober men, the least jealousy of your faithfullness; butt it may much tend to your security, and to the good of your buisnes.

Wh. I have butt one thing more to trouble your excellence with; that is, my humble thanks for all your favours, and, particularly, for the noble present I received from your hand.

Crom. I pray, my lord, doe not speake of so poore a thing; if there were

opportunity for me to doe honor to your lordship, I assure you, that very few should goe before you.⁶⁶

Their business being ended, Whitelocke adds, "they were ready to go to the sermon," and with such devout preparation the ambassador entered on his mission. It is evident from Cromwell's share in the conversation that he felt the government was hard pressed for money, that trade was bad, and that this Swedish embassy was more closely connected with the problem of the Dutch war and commercial rivalry than with religion. Buckingham's agent, Ellis Leighton, reported that the General's last words to Whitelocke were "Bring us back a Protestant alliance,"⁶⁷ but according to Whitelocke it was not included in this conversation which was confined to the purely political and economic phases of the situation.

In these same days which saw the beginning of the new policy, the General's son Henry was a member of the committee which gave a final audience to the Swedish ambassador, Lagerfeldt, on October 26; and on the day before Cromwell saw Whitelocke, the General himself had been named to a committee to greet the Dutch envoys returning to London.⁶⁸ He seems to have been absent from the first meeting between them and the delegates from the Council of State, on October 31,⁶⁹ but there is no doubt that he was greatly concerned with making peace with the States General. There is equally no doubt that the Dutch were equally desirous of the settlement of the quarrel, and the two deputies remaining in London had urged an early agreement, fearing that though Cromwell strongly favored peace at the moment, delay might drive England into an alliance hostile to the Netherlands.⁷⁰

That was a natural fear, for the General was particularly anxious to strengthen the position of England abroad in view of the difficulties which the government was meeting at home. Parliament had taken steps toward abolishing the Chancery Court, but its committee had proposed nothing in its place which seemed satisfactory to the House. It opposed peace with the Dutch; and at this moment it was at odds with the General over one of those old issues which for years had troubled the relations of the Parliament and the army, that of keeping the Articles of War. In this instance Sir John Stawell, whose property had been sequestered in spite of the Articles, had appealed to Parliament for their return and had won his case; but when he sought possession of his estate he found that it had been sold, and Parliament decided that nothing could be done about it.⁷¹

⁶⁶ *Ibid.*, pp. 93-6.

⁶⁷ *Nunziatura di Fiandra* (Vatican Archives), letter of March, 1654.

⁶⁸ C. J., vii, 340; *Cal. S. P. Dom.* (1653-4), p. 223. ⁶⁹ *Verbael*, p. 171.

⁷⁰ The Spanish ambassador was given an audience by Parliament on October 31. Whitelocke, p. 568.

⁷¹ C. J., vii, 319. See also newsletters, June 8, July 8, Macray, ii, 217, 228.

If this were not enough to shake men's confidence in the government, the disturbance at St. Paul's had raised another and no less difficult problem — that of the relation of the sects not only to the now dissolved Church of England establishment but to each other. It was only too evident that the sects were as little inclined to tolerate each other as they were to tolerate episcopacy, and it seemed essential to find some basis of accord among them. In consequence, on the day that the Dutch ambassadors had their first meeting with the English commissioners — which happened to be the day before a new election for the Council of State — the General called together representatives of the several sects to plead with them for unity and tolerance, in particular to stem the flood of vituperation which was pouring from their pulpits. For that purpose he summoned the moderate vice-chancellor of Oxford, Owen; the Baptist "teacher" of Swan Alley, Coleman Street, Henry Jessey; the Presbyterian Stephen Marshall; the Independent Philip Nye; and a Mr. Garrison⁷² who was possibly the divine who later accompanied Henry Cromwell to Dublin and founded a dissenting chapel there. It was a meeting of more than immediate consequence, for it was reported that "the advice and Council of his Excellency was so sweet, so precious, and managed with such judgement and graciousnesse that it is hoped it will much tend to perswade those that fear the Lord . . . to labor the union of all God's people." It was followed by others designed to bring about a better understanding among the warring sects,⁷³ and it is to be noted the body of "Triers" which was presently set up to pass on the eligibility of all ministers included in its membership most of the attendants on this first meeting.

This effort to moderate sectarian differences was but one of the attempts to bring order out of the chaos into which public affairs seemed to be falling. An even more important step was the election to the new Council of State, which was held on the first of November. The old Council, which Cromwell had attended with considerable regularity during October, had included in its membership twenty-one men reckoned as "moderates" and ten regarded as "radicals." Of the sixteen men now re-elected from that body, only two were "radicals," and of the fifteen new members chosen there were only three belonging to that group, so that the overwhelming majority of the new body were "moderates." In view of the character of the Parliament this seems surprising, but it was due to two things — that the "moderates" included most of the outstanding men and that they probably voted more or less as a body, while the "radical" votes were scattered among a number of candidates. This seems borne out by the fact that while Cromwell was chosen unani-

⁷² *Sev. Proc.*, Oct. 27—Nov. 3.

⁷³ *Ibid.*; *Verbael*, p. 176; and see Cromwell's speech of Sept. 4, 1654.

mously by 113 votes, no "radical" member received more than 59, and Garrison with 58 votes stood thirteenth on the list.⁷⁴

While English affairs took, in modern phraseology, a turn toward the "right" — or at least to the "left-centre" — English and foreign issues were not the only problems which confronted the new Council and Parliament. Scotland was increasingly disturbed and Cromwell was deluged with letters from Colonel Lilburne full of news of fresh disorders and complaints about his absent officers. The Highlanders were openly working for the return of Charles, while the Lowlanders refused to help in suppressing them or even in keeping the government informed of their activities. The land was infested with night-prowlers; horses were stolen, houses broken into, and officers were kidnapped.⁷⁵ Every incident of a country occupied by an army which it feared and hated fills the letters of a commander who, whatever his incapacity, held a post which was as difficult as it was disagreeable. Between the two brothers Lilburne, the one in Scotland and the other in prison, the General may well have wondered which was the more of a problem to him, the friend or the enemy, though one thing was increasingly apparent — Colonel Lilburne was not the man to handle the difficult problem of the Scots — and it was not long before he was relieved of that responsibility.

In the midst of these perplexities we get another glimpse of the General in a capacity which was to become more familiar to him in succeeding years, that of presenting to a benefice. In this case it was a note of thanks to a gentleman of Ockham near Guildford in Surrey, who had several years earlier been named as member of a "classis" in that county, for the appointment of a Mr. Draper to an advowson which his correspondent seems to have had in his gift:

*For my honoured Friend Henry Weston, Esquire, at his House in Ockham:
These*

SIR, MY NOBLE FRIEND,

Your Brother Ford was lately with me, acquainting me with my presumption in moving for, and your civility in granting, the advowson of Speldhurst to one Mr. Draper, who is now incumbent there, and who, it seems, was there for three or four years before the death of the old incumbent, by virtue of a sequestration.

Sir, I had almost forgot upon what account I made thus bold with you, but now have fully recollect ed. I understand the person is very able and honest, well approved of by most of the good ministers thereabout, and much desired

⁷⁴ *C. J.*, vii, 344. Re-elected were Cromwell, Pickering, Desborough, Strickland, Lawrence, Sydenham, Jones, Wolseley, Tichborne, Cooper, Carew, Montagu, Harrison, Lisle, Major, Howard; and the new members were Col. Rous, Sir Wm. Roberts, John Sadler, Sir Robt. King, Henry Cromwell, Dr. Goddard, Sir Wm. Brownlow, Col. Barton, Lord Eure, Capt. Stone, Col. Geo. Fleetwood, Col. James, Anlaby, Col. Bingham and Jervase Bennett.

⁷⁵ Firth, *Scotland and the Commonwealth*, pp. 242, 262, 264, 270, 272.

by the honest people who are in a religious association in those parts.⁷⁶ Wherefore I now most heartily own and thank you for your favour showed Mr. Draper for my sake; beseeching the continuance of your respects to the gentleman, who shall be very much tied to pay you all service; and so shall, in what lieth in his power,

Your affectionate friend to serve you,

Nov. 16th, 1653.

OLIVER CROMWELL.⁷⁷

Insignificant as it is, the General's letter to Weston had far wider implications than the mere request for the appointment of a country parson. It was, in one sense, simply a friendly suggestion to some one whom he knew or had known. In another it was the beginning and the type of a long series of such recommendations and appointments which were to give him a position in church affairs not unlike his status in the army and the administration. To this situation the calling of the conference of representatives of the sects contributed, so that in a curious and anomalous fashion he began to exercise the functions, if he did not take the place, of the old monarchy in ecclesiastical as in lay affairs. This, however, was rather a portent of the future than a fact of the present. For the moment he was still chiefly concerned with greater issues, especially the peace with the Dutch.

To that the Royalists were strongly opposed, in the belief that the continuance of the war worked to the disadvantage of the revolutionary leaders, and still more because the Netherlands had been their refuge and their strength in opposing the revolutionary party.⁷⁸ On their side, however, the General and the Dutch deputies were eager for a treaty. The latter had tried in vain to secure a reply to the proposals they had made on October 31 to the English commissioners and now rested their hopes on Cromwell. They even suggested to de Witt that they might make a good impression by paying Colonel Doleman, who, Beverning said, had been living entirely on the generosity of the General with whom he was "in credit."⁷⁹ Delayed by Cromwell's indisposition which confined him to the house for some days early in November,⁸⁰ though they were assured that the Council committee still functioned,⁸¹ they wrote to him to beg for consideration of their mission,⁸² and on November 17 and 18 the conferences began with Cromwell in the chair.

⁷⁶ "Thereabouts" crossed out and "in those parts" written over.

⁷⁷ Lomas-Carlyle, CXCI, from the original in *Add. Ayscough MSS.*, no. 12,098. The original is endorsed: "The Generell Cromwell's letter about Speldherst living; In an old Bible I had from England with other Books, March 1726." At the Restoration Draper was expelled from Speldhurst, near Tunbridge Wells in Kent, where Weston seems to have had some interest, for his father was buried there.

⁷⁸ *Sev. Proc.*, Nov. 10, 1653.

⁷⁹ *Thurloe*, i, 576.

⁸⁰ *Verbael*, p. 182.

⁸¹ *Thurloe*, i, 584, 597-8.

⁸² Letter in *Verbael*, pp. 187-8.

Discussion was difficult, for on the second day the General announced that he could not follow the deputies' French, so that thereafter the debate was carried on in Latin supplemented with English, to which Cromwell confined himself and with which some of the Dutch deputies were slightly familiar. None the less some progress was made, materially aided by Cromwell's opening statement that though he regretted that a coalition between the states was impossible, they might proceed to decide what rights and privileges each country would retain in the projected alliance, adding that England's only object was lasting peace and friendship. With this virtual abandonment of the proposed union between the two countries the prospects for an agreement were greatly improved.⁸³

Beverning describes Cromwell as sitting on a red velvet chair without arms, surrounded by Lisle, Strickland, Ashley Cooper, Worsley, Jones, Sydenham, Tichborne, Thurloe and Jessop. Cromwell, who was said to have done most of the talking in the conference, made an introduction:

"He spoke of the affection and the inclination of the Parliament for a good peace and a permanent union between the two republics, and said that they had earlier proposed a coalition between the two nations, — one in which all the mutual interests of state and of the nations would be combined without any distinction in such a way that no differences or misunderstandings on these points could be feared or expected. But that, because this proposition did not please us, we for our part proposed a union, league and confederation as close and strong as had ever been established between two sovereign republics. That they were content to discuss in a friendly way our proposals, protesting before God who knows their hearts and before whom it was not hidden that they hated war and were seeking peace especially with our state, and that they wanted to confer with us in all honesty and frankness. That they had come to the conclusion that the exchange of documents had been of little use and effect and that we intended to explain our intentions verbally in all liberty in the form of discussions, like honest people among themselves. And that, although they believed they had good reasons to continue to insist on the preliminary points of security and satisfaction which had been the last points discussed before the dissolution of the former government, they were nevertheless willing to give further opening of the considerations, recommending a strict secrecy such as they themselves maintained, because they considered these negotiations of such importance that the whole world in and outside the country would have its thoughts and eyes on them. And all ministers would be trying to penetrate the secret of them." The Dutch envoys thanked Cromwell for his good will and asked him to tell them openly the considerations concerning their propositions. "His Excellency said with a new protestation of candour and frankness that our common intention ought to be to direct the negotiations in such a way that not a union or peace for a short period would be the result, but

⁸³ On Dec. 2 Cromwell put an end to the discussion by submitting the draft of a treaty consisting of 27 articles, signed by himself and the other members of the Council committee, stipulating that no article should take effect without acceptance of the whole.

a permanent one between the two states and nations. And that they considered it necessary to eliminate from the start all points that could eventually lead to new disputes or animosities. That it had to be stated in clear and positive terms what was the right and prerogative of each party. And that they considered it necessary therefore that their right and dominion in the Narrow Seas be established, as well as their rights on the point of fisheries; and that it was necessary that we should declare our opinion concerning these points freely and openly, mixing with this some remarks concerning satisfaction and security, but concluding finally that once the questions of the sea and fishery were adjusted, the rest of the work would be facilitated." The deputies conferred together and answered that they would not detract from the respect and privileges which had been enjoyed by the former government of England, but that first the articles of the union should be agreed upon and that afterwards all points concerning commerce and fishery should be discussed. Cromwell answered: "Having profusely explained once more their claims concerning the dominion of the seas and the fisheries, they declared that they could not understand that we had accepted one of the two articles proposed by them, but that we had only spoken in general terms, and they wanted to put it down in clear and positive terms." The Dutch answered that they could order their ships to pay due respect to foreign flags, but the seas of the world were open to everyone. Cromwell replied "that our argument did not fit in his scheme because if his coalition had been accepted, all interests of government and nation without any exception would have been mutual, but that, as we had not accepted his coalition but were speaking of another union in which the interest of each party should remain distinct, time and again new conflicts would arise if we did not make full use of this occasion to eliminate all causes of conflict. He asked us to give once more our opinions on the point and, because it was noon, to think matters over until a further conference which he offered to hold without any interruption or loss of time, protesting again his sincere intentions and that he would proceed in frankness, and declaring that after our last conference he had been continually occupied with our affairs, without any intention of delaying the work or without intention to gain time to equip the fleets or to obtain any other advantage."

At the second conference, the Dutch repeated their desire for friendship, peace and union, declaring their good intentions but that they would not conclude a union which would affect the sovereignty of the republic. Cromwell answered that "as the Dutch were interpreting the proposed coalition in their own way, and had gone back to the *retro-acta* [the documents passed before] he would do the same and had to declare that the Council had hoped to find the means of a union that would give security and be permanent and would not exist only in appearance and in words, and that would not only take away the present differences of opinion but also would provide for the future and regulate all troubles and eventual new disputes. Those means undoubtedly existed in the coalition as proposed by the English because in this the whole sovereignty and government with everything which depends upon it would be made common between the two republics and nations, with the sole exception of the administration of justice according to the municipal laws. But because we had refused this proposal and had preferred a close union and confederation, keeping distinct the interest of each party, the Council had allowed themselves to

be persuaded. Now the means had to be found to eliminate all present and future inconveniences and to assure confidence. The proposition of a mutilated coalition which we now made appeared to spring from insufficient instructions to conclude anything and such a proposition could not be expected from us because we were gentlemen of honor and well-mannered. H. E. declared that the Council took the interests of the Netherlands to heart in the same way as those of England which was why they had proposed this coalition. If we were willing to give due consideration to their propositions, we would see that he had no other intention than peace and security, but that all advantages would remain on our side. Hereupon he made a great discourse of the situation and opportunities offered by England, its ports and coasts, of the English fisheries, of the navigation on England, of the customs followed in buying landed property and investing money against high interest *etc.*, concluding that they had offered on their side what was useful and reasonable and were undisturbed in conscience, and if we did not speak with more frankness and confidence there could be expected no success of the conference." The Dutch deputies said they had instructions to offer to the English government a defensive alliance and that the union would serve this purpose and that the English would have as many advantages as the Dutch, "that they clearly saw the mercy shown by God almighty to the English in their difficult situation and otherwise, but that thanks to God they enjoyed many commodities themselves!" In reply, Cromwell discoursed profusely, "that in reality 'twas nothing else but a repetition of his first answer. That the Council had proposed the coalition with the intention of including the demanded satisfaction and security, that our parallel between coalition and union was totally incorrect, and that those special words of sovereignty were not very important. He considered them only a feather in the hat and that the burden of government was only a bubble. The English knew how dearly we had bought our liberty but they estimated their own liberty just as highly as we ours. They offered, however, so many advantages to us that we ought to estimate these higher than anything else. The English could say without boasting that God our Lord had brought their country in such a state that they could do without us and could maintain commerce over the whole world without our help but that we without their friendship could not continue our trade. They knew who were our friends and enemies, mentioning especially the house of Austria; they knew also that this house was not very well intentioned towards England. Therefore it ought to be our principal aim to obtain security against this house of Austria and to organize our affairs in such a way that we did not need to fear anybody's power and that we could dictate the law concerning commerce to the whole world." The Dutch report observes that Cromwell still did not speak of the points of union, but that his main interest concerned dominion of the sea and the fisheries, and they said they could only repeat their former arguments. Then Cromwell declared "that the Council must remain loyal to those whom they serve and that he had to preserve the right that had been intrusted to them by God and the people. They knew that we were obliged to do the same for our people and that therefore the precautions taken by both sides were understandable and were proof of sincerity, but if everybody does his duty a good agreement is the most direct way to the preservation of the interests of both. Therefore, to make the work

progress, they would give all the considerations in writing and as soon as we would be ready, the conference could go on.”⁸⁴

With this the real struggle began, for while some of the articles of the proposed treaty were satisfactory to the Dutch, others were highly debateable and still others wholly unacceptable. Those providing for a defensive alliance were satisfactory. Those demanding indemnity for English losses; for the exclusion of the House of Orange from office in the Netherlands; for the limitation of the size of Dutch fleets passing through the “British seas”; agreement to strike the flag to British ships and permit the right of search; and for the payment of a sum to be agreed upon for the fishing rights off the British coasts, were all stumbling-blocks. There was, besides, no mention of Holland’s ally, Denmark, which the Dutch felt in honor bound to include in any agreement.⁸⁵ The article limiting the size of the Dutch fleet they refused even to discuss and threatened to terminate the negotiations if it were pressed. The situation was, in fact, so difficult that each deputy seems to have transmitted the Articles secretly to his own province, and de Witt regarded the negotiations as “desperate.” Meanwhile a number of Dutch ships had been lost in a storm and the position of his countrymen was obviously becoming more and more hazardous.⁸⁶

On the other hand, their great East India fleet of more than four hundred vessels had just come through unscathed; their warships were making trouble on the English coasts, especially at Thames mouth; and the rise in the cost of coal and provisions was producing deep discontent in London. The Dutch envoys were not unaware of this situation. Conspirators were reported meeting in Cheapside to plan the restoration of Charles II,⁸⁷ and stories of dissension among the revolutionary leaders were widespread. The Council, disturbed by the increasing tension of the situation, appointed a new committee on intelligence, consisting of Cromwell and his followers, Strickland, Lawrence and Sydenham.⁸⁸ The meetings in Blackfriars where speakers denounced the government were so popular and so largely attended that, among other curiosity-seekers, even Beverning found his way thither. In consequence the General was urged to establish a religious settlement,⁸⁹ and by the end of November even his patience was at an end. On the 29th of that month he called in Feake and other Anabaptists and, with the help of his chaplain, Sterry, and other ministers, endeavored to convince the agitators that their meetings would not only bring Parliament into contempt but

⁸⁴ *Verbael*, pp. 187–196.

⁸⁵ *Ibid.*, pp. 198–214.

⁸⁶ Geddes, *De Witt*, pp. 318–22, from *Verbael*, Aitzema and Hague archives.

⁸⁷ Thurloe, ii, 95–6.

⁸⁸ *Cal. S. P. Dom.* (1653–4), p. 236.

⁸⁹ Letter of warning, Nov. 16, Thurloe, i, 591–2.

would give aid and comfort to England's enemies abroad. But Feake and his colleagues were equally insensible to persuasion and threats. In reply to the General's appeal Feake was reported to have said that "it was his tampering with the King and his assuming an exorbitant power which have made these disorders and so held forth on the Fifth Monarchy." To this the General replied with equal heat that "when he heard him begin with a record in Heaven hee did not expect that hee would have told such a lye upon earth, but assured him that whensoever they should bee harder prest by the enemy than they yet had been, it would be necessary to begin first with them."⁹⁰

The agitators were dismissed in anger, and when Feake continued his denunciations of the General, he was sent to prison.⁹¹ Such differences naturally affected the army leaders. Hyde discredited the rumor that Cromwell had fallen out with Harrison and the other officers, for he felt certain that the General did not dare risk losing the support of that element in the army, but he did not doubt that many officers were jealous of Cromwell and would have been glad to see his power reduced.⁹² The French ambassador, Bordeaux, on the other hand, believed that Cromwell was neutral as between the parties of Harrison and Lambert.⁹³ To most observers it was evident that Cromwell was in the ascendant, and Hyde came to believe that the General would be king before the end of January⁹⁴ — in which judgment he was not far wrong.

To these difficulties were added quarrels with the French and presently with the Portuguese. "There is no doubt," Mazarin had written to his envoy Bordeaux in the preceding July, "that if the English made a good and sincere *reunion* with France and the United Provinces, they would find it doubly to their advantage,"⁹⁵ and it is possible that Cromwell would have agreed with this. On the other hand, though the English had striven to avoid direct conflict with the government of Louis XIV, they had been in almost continuous communication with his rebellious subjects and had not given up their undeclared and unofficial hostilities with French ships which had long threatened to lead to open war between the two countries. Correspondents on both sides of the Channel agreed that the *rappoport* between Cromwell and Mazarin was shadowy in the extreme. In the middle of October Cromwell had advised Bordeaux that he wished to receive no further addresses from him, though he had been sought out but twice and had long avoided the

⁹⁰ Letter Dec. 2, *ibid.*, i, 621.

⁹¹ On Dec. 21, *Cal. S. P. Dom.* (1653-4), p. 308.

⁹² Hyde to Nicholas, Nov. 11/21, *Clar. State Papers*, iii, 198.

⁹³ Gardiner, *Comm. and Prot.*, ii, 317, from Bordeaux to Brienne, Nov.

17/27.

⁹⁴ *Clar. State Papers*, iii, 200.

⁹⁵ Jusserand, *Recueil des Instructions*, "Angleterre," i, 169.

French ambassador whenever possible.⁹⁶ Meanwhile the English had preyed upon commerce with little regard to its ownership or origin and Paulucci reported that a valuable cargo of linen had been seized by them in spite of the fact that its owners had been given a pass by the Long Parliament.⁹⁷ None the less it was said that Mazarin was advised that Cromwell would look with favor on a request from French merchants for return of their property in gratitude for Mazarin's restoration of English sugar ships which had been taken by the French.⁹⁸ Thus these two accomplished politicians trod the narrow way which lay between war and peace, each endeavoring to mould the situation to his own advantage.

The position of the revolutionary government was, in fact, anomalous. Like all such powerful groups which have seized authority by force, it was at once feared, courted and despised, as being dangerous but with no legal basis for its existence. It was still an outsider in the European system. In that, however, it differed but little from the United Provinces, and with de Witt's government it had at least that much in common. It had now endeavored to extend its connections by approaching the other great Protestant nation, Sweden, with what result was to be seen. But it had not thus far been fortunate in its relations with other powers, nor had its negotiations with the Dutch given certain signs of coming to a conclusion. Its negotiations with Portugal seemed, if possible, still more inconclusive, especially to the Portuguese embassy in London. The treaty had been agreed on in the preceding spring and awaited only ratification when at this moment an unfortunate incident almost precipitated a crisis in the relations of the two countries.

That incident was one of the most spectacular and unpardonable events in Anglo-Portuguese relations and provided one of the great scandals of the time. It began with a promenade in the arcades of the New Exchange by Dom Pantaleon Sa, the nineteen-year-old brother of the Portuguese ambassador, with some of his friends, on the evening of November 21, after the manner of fashionable Londoners at that time. The Portuguese party, talking loudly in French and reflecting unfavorably on the state of English affairs, were reproved by a Royalist Colonel John Gerard. Angry words were followed by drawn daggers and Gerard was wounded before he could be rescued by one of his friends. The treatment which the fiery young Dom Pantaleon received evidently rankled, for the next day he returned with fifty followers seeking revenge. They took possession of the whole Exchange, mortally wounded a Colonel Mayo and killed Harcourt Greenway, a student at Gray's Inn

⁹⁶ Guizot, *Cromwell*, ii, 78-9, quoting Bordeaux to Brienne, Oct. 13/23.

⁹⁷ Paulucci to Sagredo, Nov. 18/28, *Cal. S. P. Ven.* (1653-4), p. 150.

⁹⁸ Letter from London, Nov. 14, Thurloe, i, 587.

who had come shopping with his sister and his prospective bride. Horse-Guards summoned from the Mews succeeded in quelling the riot and took some prisoners, though Dom Pantaleon and some of his followers found refuge in the house of his brother, the ambassador, who at the demand of Commissary-General Whalley surrendered several of them including Dom Pantaleon. The ambassador appealed to Cromwell in behalf of his brother, but the General replied that this was a public matter and his plea should be addressed to the Parliament or the Council of State.⁹⁹ Dom Pantaleon was accordingly committed to Newgate, whence he escaped disguised as a woman¹⁰⁰ but was recaptured and again imprisoned despite the ambassador's protest that diplomatic immunity was violated by his seizure. That, the English lawyers held, did not cover such a case as this, which was an open breach of peace and violated all law, national and international. Naturally the incident roused public resentment to the highest pitch; it came near breaking off peaceful relations with Portugal; and it remained to vex the administration until the young man was finally tried and executed.

This sensational event was accompanied by others of wider importance. On the day of the first disturbance at the New Exchange, Parliament passed an act for establishing a new High Court of Justice, which, among its other provisions, stipulated that nothing in the act should be construed as diminishing the power of the Lord General, the Council of Officers or of the Generals-at-Sea,¹⁰¹ thus leaving the authority of the courts-martial unaffected. If the establishment of this tribunal were not enough to disturb the peace of mind of a nation which looked back to the executions of the King and the four "great delinquents" by such means, there came increasing rumors of dissension among the leaders. Harrison and his party were railing against Cromwell and peace with Holland.¹⁰² It was reported that Parliament had been petitioned to make Cromwell Protector,¹⁰³ and, on the other hand, that Cromwell intended to dissolve Parliament once more and establish some other form of government. That was, in general, not unwelcome and not improbable news, for it was no secret that the nation as well as the General was disappointed in Parliament,¹⁰⁴ but Bordeaux was informed that Cromwell objected to another forcible dissolution.¹⁰⁵ Moreover it was re-

⁹⁹ *Perf. Diurn.*, Nov. 21-28. See also Bernardi's dispatch, Dec. 9, in *Atti della Soc. Ligure di St. Patria*, xvi, 125-7; and Paulucci to Sagredo, *Cal. S. P. Ven.* (1653-4), Nov. 25/Dec. 5, p. 153; *Verbael*, pp. 224-5, and various "Narrations" of the event.

¹⁰⁰ Paulucci to Sagredo, Dec. 15/25, *Cal. S. P. Ven.* (1653-4), p. 162.

¹⁰¹ Firth and Rait, ii, 780-2.

¹⁰² Thurloe, i, 612.

¹⁰³ Newsletter, Nov. 24, Macray, ii, 280.

¹⁰⁴ Paulucci to Sagredo, Nov. 25/Dec. 5, *Cal. S. P. Ven.* (1653-4), p. 152.

¹⁰⁵ Bordeaux to Brienne, Nov. 17/27, quoted in Gardiner, *Comm. and Prot.*, ii, 317.

ported that since the Common Council of London had refused to give up all its arms, the General was drawing more troops toward the capital.¹⁰⁶ All in all it appeared that matters were approaching another of those crises which had marked the progress of the revolutionary movement.

As usual there is no hint of all this in Cromwell's own words or writings, of which three examples in this period have survived. The first is merely one of those numerous recommendations which he continually wrote, this time to the new Lord Mayor of London, the Puritan merchant-banker, Sir Thomas Viner. The second is an order to increase the garrison of Windsor Castle by a company of 100 men of which Colonel Whichcot was to be captain. The third is a private letter to his cousin, the third baronet Barrington, which indicates that the General was not only busy but disturbed by the multiplicity of affairs which pressed on him in the first days of December.

For the Rt Honorable the Lord Mayor of the City of London
MY LORD,

This bearer, Percival Brathwaite did in the beginning of the late wars manifest his good affection to the state by a very seasonable service and I have received a good report of him for his honesty and faithfulness. I am informed that some do endeavor to put a great inconvenience upon him in reference to his freedom in the City. I am not willing to interpose in a business of this nature. Wherefore I shall only desire that your Lordship will please so far to own this man as that he may receive such measure of and favor as is allowed to others in like case. I rest,

My Lord,
Your humble servant,
O. CROMWELL.¹⁰⁷

Cockpit, Novemb.
29th, 1653.

To Col. Chris. Whichcot

You are to raise forthwith a company of 100 foot soldiers besides officers, to guard Windsor Castle, of which you are to be captain. Send me the names of your officers by the bearer, and commissions shall be sent you.

December 10, 1653.¹⁰⁸

For my honourable Cousin Sir John Barrington, these
NOBLE SIR,

I beseech you pardon me that I no sooner returned you an answer to your letter. Accept my multiplicity of businesses as my excuse. Indeed (as I have cause) your person and family are very dear to me, and for that reason I had

¹⁰⁶ Newsletters, Nov. 24, Dec. 3, in Macray, ii, 280, 283.

¹⁰⁷ Original, with the signature only in C's hand, is in the Guildhall, London. Endorsed: "Lo: G: for Brathw^t freed." Copied by J. V. Kitto, Esq. Mentioned in H. W. Henfrey, *Numismata Cromwelliana* (L., 1877), p. 183.

¹⁰⁸ With notes relating thereto by Whichcot, Dec. 14. *Cal. S. P. Dom.* (1653-4), p. 296, from *S. P. Dom. Interr.* xlvi, 46. Noted in *Cal. S. P. Dom.* (1653-4), p. viii, as "his last recorded act as Lord General."

rather you should (without any arbiter) give yourself honour and right. If any some have vexed you causelessly, stop their mouths.¹⁰⁹ If that which sticks with you be an unwillingness to betray justice, let some friend put an end to it, let the best friend your adversary hath do it, you will be no loser. Say what you will have me do, and I shall serve you and be

Your affectionate Cousin and servant,
Dec^r the 12th, 1653.

O. CROMWELL.¹¹⁰

It is not surprising that Cromwell expressed concern at the pressure of public business; and it would seem not too much to assume from what evidence we have that he shared in plans to get rid of the Nominated Parliament and set up another form of government. According to current rumor the House was proposing to abolish the universities and the public preachers, and its radical tendencies in the general situation of affairs made some change in government generally desired.¹¹¹ It is possible that the election of the new Council of State early in November may have marked the first step in the execution of these plans, for though the members were chosen by the House, it was reported that the greater part of them were opposed to the proposals in Parliament, especially those of Harrison and his Anabaptists.¹¹² It only remained to be assured that an effort to overthrow Parliament would meet with popular support to make such a move certain. From the fact that on December 1 there was completed a collection of writs, warrants and other documents used by Charles I,¹¹³ one might even hazard a guess that the new government would be by one man. Indeed Paulucci was convinced by the next day that the Lord General would soon be that man.¹¹⁴

By the first week in December, then, it would seem that, whether or not the details had been decided on, it was generally suspected that some sudden change was impending; that by some means or other — probably not by force — Parliament would be dissolved and that Cromwell would become the head of the state in name as well as fact. Of this, however, there was no hint in the letter which he wrote at this moment to his son-in-law Fleetwood in behalf of an Irish nobleman, James Hamilton, Viscount Clanboye, whose transplantation, though ordered to be stayed by the Court of Articles in August, was nevertheless arranged by the Commissioners:¹¹⁵

¹⁰⁹ This phrase seems to be a misreading of the Ms. but without access to the original it must be left as Mr. Lowndes transcribed it.

¹¹⁰ Pr. by G. A. Lowndes in *Essex Arch. Soc. Trans.*, N.S. ii (1879), 45, from *Barrington Hall MSS.* A "recruiter" in the Long Parliament, Sir John was particularly noted for his fondness for litigation.

¹¹¹ Paulucci to Sagredo, Dec. 9/19, *Cal. S. P. Ven.* (1653-4), p. 158.

¹¹² Same to same, Dec. 15/25, *ibid.*, p. 160.

¹¹³ *Cal. S. P. Dom.* (1653-4), p. 280.

¹¹⁴ Paulucci to Sagredo, Dec. 2/12, *Cal. S. P. Ven.* (1653-4), p. 155.

¹¹⁵ Report June 30, 1653, in Robt. Dunlop, *Ireland under the Commonwealth* (Manchester, 1913), ii, 352-3. See *supra*, ii, 240.

To Lieutenant-General Fleetwood

SIR,

Upon the President of Connaught's and Colonel Venables' account of the Lord Claneboye, and of his sufferings for a long time in the service and cause of the Parliament, and of his early return and submission, after his having joined with the Earl of Ormond, I did write back unto the President for his lawful favour to him, and to his mother, of whom I had a good report, of which I have formerly acquainted you. And being informed that there were some thoughts of his being transplanted from his habitation and land, I did also by the same letter to yourself in July last desire a stop thereof; since which time, I perceive by the Lord Claneboye's petition to the Commissioners here for relief of persons upon Articles, they have adjudged that his transplantation is in diminution of his Articles, and that stay be made therein till their further order.

I have also had such perfect information, and from such hands which I dare trust, concerning the person of the Lord Claneboye, and of the worth of his mother, and in a special manner of his lady, and of the interest and relations which are like to prevail with him and his family, that for my own part I have good cause to believe that his not transplanting is not like to be hazardous or prejudicial to the public peace; and therefore I do purposely write these to you, that they may prevail with you to use some effectual course that the general rule of transplanting may not be extended as to him, his case in many things varying so much from most in that nation, that what is done in his behalf cannot be drawn into precedent for very few, if any. And therefore, upon the whole matter, I do seriously commend him therein unto your particular care, and intreat you to manage it the best way you can, both for success and expedition, because till his condition in this respect be settled he will be disenabled any way to deal with his tenants for raising money to pay his composition.

Your loving father,

December 12, 1653.

O. CROMWELL.¹¹⁶

It is evident that when he wrote this letter matters were coming to a head if they had not already reached a crisis. For several days Parliament had been discussing a committee report on the vexed question of tithes which included provisions for the ejection of "scandalous" ministers

¹¹⁶ Pr. in 3rd Rept. *Deputy Keeper of Public Records*, App. I, p. 137, from the original in *Carte MSS.*, 228, f. 6, which is endorsed: "A Copy of the Lord Protector's letter to Lieutenant-General Fleetwood." In Lomas-Carlyle, Suppl. 83. Encouraged by Cromwell's intervention in her husband's behalf, Anne, Lady Claneboy, presently sent him a petition for further consideration to which he appended an order dated March 7, 1653-4 and signed "Oliver P.": "I refer the consideraçon of this petition to Collonall Montague & Coll Mackworth, whome I doe hereby authorize to examine the matter concerned therein & to certifie unto me theire opinion thereupon." An ordinance in Claneboye's favor was subsequently drawn up, but the Protector was not satisfied with it and refused to sign it, and Claneboye finally had to compromise according to an ordinance of Sept. 2, 1654, for Irish Protestants. 3rd Rept. *Deputy Keeper of Public Records*, App. I, pp. 138-9; Firth and Rait, ii, 1015; Dunlop, *Ireland under the Commonwealth*, ii, 573; *Cal. S. P. Ire.* (1647-60), pp. 597-9.

by a select committee of well-known moderates. Brought to a vote on December 10, these provisions were defeated by a bare majority of radicals, and a vote on the clauses relating directly to the collection of tithes was set for December 12.¹¹⁷ If these were not adopted, Cromwell and his supporters believed that the radicals would not only abolish this means of supporting the clergy but would open the way for a general attack on property, which they were determined to prevent.

In consequence another *coup d'état* was prepared. Obviously following a carefully laid plan, when some eighty members, chiefly, it would appear, Cromwellians — most of the radicals, it was said, being at a prayer meeting — had gathered early on December 12, Sir Charles Wolseley stood up with Sir Anthony Ashley Cooper, Colonel Sydenham and Colonel Tichborne to be recognized by the Speaker, Rous, who was evidently in the plot. Wolseley, being given the floor, made a violent attack on the existing Parliament. He "told the Speaker that they had been a good while in the House but had not answered the people's expectations, but instead of seeking their good did what they could against them, endeavouring to take away their properties by taking away the law, to overthrow the ministry by taking away tithes and settleing nothing in their roomes, and several other things, so that for their parts they would sitt no longer,"¹¹⁸ and with this he moved to bring the Parliament to an end. His motion was duly seconded and passed, and "the major part of the House came out of the House with the Speaker and Mace to the Horse Chamber (my Lord Generall and officers being there)" and delivered it to the General.¹¹⁹ Some of the eighty remained, with Moyer in the chair, and to these were added others who came in later. To them appeared Colonel Goffe who told them quietly that it would be advisable for them to leave. They refused and there entered, either at the order of Goffe or some one else, a file of musketeers who cleared the House as it had been cleared eight months earlier by the same means.¹²⁰ There was even less uncertainty as to the next step than there had been in the former dissolution, for there had been previously prepared an *Instrument of Government* which was taken in hand at once by the General and his officers and put into final form within the next four days.¹²¹

¹¹⁷ *C. J.*, vii, 363.

¹¹⁸ *Clarke Papers*, iii, 9.

¹¹⁹ *Perf. Diurn.*, Dec. 13; *Exact Relation of the Proceedings . . . of the Parliament*; Paulucci to Sagredo, Dec. 15/25, *Cal. S. P. Ven.* (1653-4), pp. 160-1. See also Ludlow, *Memoirs*, i, 367-8; Thurloe, i, 637; Sir Henry Ellis, *Orig. Letters*, ser. 2 (1827), iii, 372; *Clarke Papers*, iii, 9; Dugdale, *Short View*, p. 411; Bernardi's despatch, Dec. 15/25, *Atti della Soc. Ligure di St. Patria*, xvi, 131-2; *Sev. Proc.*, Jan. 6.

¹²⁰ *Clarke Papers*, iii, 10.

¹²¹ *Perf. Diurn.*, Dec. 19-26; *Merc. Pol.*, Dec. 15-22; Thurloe, i, 632.

The end of the Barebones Parliament came with the suddenness but not with the dramatic elements of the dissolution of its predecessor, and the record of its passing, unlike the Clerk of the House's minute of the expulsion of the members of the Long Parliament reveals, among other things, the improved technique of the revolutionary leaders. On its face it is the purely formal record of ordinary procedure, yet between the lines of that record one may perceive the true meaning of this second dissolution; for, as it says,

It being moved in the House this Day, That the Sitting of this Parliament any longer, as now constituted, will not be for the Good of the Commonwealth; and that therefore it was requisite to deliver up unto the Lord General Cromwell the Powers which they received from him; and that Motion being seconded by several other Members; the House rose. And the Speaker, with many of the Members of the House, departed out of the House to Whitehall; where they, being the greater Number of the Members sitting in Parliament, did, by a Writing under their Hands, resign unto his Excellency their said Powers. And Mr. Speaker, attended with the Members, did present the same to his Excellency, accordingly.¹²²

Such was the epitaph of the Nominated or Barebones Parliament which thus departed its life on the 12th of December, 1653, its passing unmourned save by a handful of the most radical elements of its membership and their supporters outside. Whatever its virtues or faults, it had served one great purpose. It had brought into the light of day the extreme proposals of the most advanced party in the state—and it had enabled the Lord General and his party to appear as the saviours of society. In that respect, if in no other, it had made its contribution to the revolutionary cause and aided in the elevation of its leader to the first place in the state.

Its passing was accomplished by a political maneuver which made its end even less dignified than that of the Long Parliament eight months earlier, yet the significance of the one was no less than that of the other. Whether as its champions claimed this "new representative" was a high-minded effort to reform English political life, or whether as its enemies declared it was merely designed to form a bridge from parliamentary to protectoral government, the result was the same. It is possible that it was both; that on the one hand earnest, incompetent enthusiasts hoped and believed that it would somehow accomplish the salvation of the nation; and on the other hand that more realistic and more practical politicians perceived in its incompetence at once a means and an excuse for the transition to a dictatorship which in their view was the only means of preserving the fruits of revolution and averting a return to Stuart monarchy. But as one looks at the long history of dictatorships

¹²² C. J., vii, 363.

one thing is apparent — it is that some such body of incompetents almost invariably prepares the way for the “strong man” to step forward as the saviour of society and bring order out of chaos.

That step is always easier when he is, like Cromwell, the head of the army or of the administration or of both. What the *coup d'état* of December 12, 1653, did was not so much to give him new power as to regularize and define the powers which he had previously exercised. It provided a quasi-legal basis for a Protectorate, and if that was, in effect, only a legal fiction, it is not the first time nor the last when such a fiction has served such a purpose. As he declared some nine months later, “I did not receive anything that put me into any higher capacity than I was in before; but that it limited me . . . I was arbitrary in power; having the Armies in the three nations under my command.”¹²³ That, in fact, was the answer. Having control of the army, all things else were added unto him.

Moreover there is one other thing about this last turn from monarchy to dictatorship. In this instance, as in the other steps which had been taken in preceding years, the way had been long prepared; so that this, like those other changes, seemed to be the product of necessity. The transition from King to Protector, dramatic as were so many of its episodes, came in each case by actions which at the moment appeared not only natural but inevitable. There were probably very few men in England who if they had been offered the choice between parliamentary monarchy, even Stuart monarchy, and military dictatorship in 1640 would have chosen the latter. Had they foreseen the result of the revolt against Charles I, most men would almost certainly have adhered to the evils which they knew and endeavored to redress them than fly to evils which they knew not of. It seems as certain as any such thing can be that the great majority of the English people were opposed to the government which was now forced on them. Whatever blessings it may have conferred, whatever his share in the movement, as Cromwell reaped the benefits so he incurred the obloquy of the overthrow of the monarchy, to whose destruction he was the chief contributor and of whose fall he was the chief beneficiary. It remained, therefore, to see what use he would make of the power which was now in his hands and whether in the long resolution of events he would be able to reconcile the nation to his ascendancy, whether, in short, the revolution and its leader would be justified by their fruits.

¹²³ Speech, Sept. 12, 1654; cp. below.

CHAPTER IV

THE BEGINNING OF THE PROTECTORATE

DECEMBER 13, 1653—FEBRUARY 3, 1654

With the disappearance of the Nominated or Barebones Parliament on December 12, 1653, for the second time within that twelvemonth England was without a formal government. Nothing was left of the Commonwealth experiment but the name; for with the abdication of Parliament vanished the last pretence that England was not wholly in the hands of the army and its General. It remained, therefore, to devise a new system which should clothe or conceal that fact by some legal or constitutional fiction. There can be no doubt but that this problem had been not only considered but more or less solved before the Cromwellians brought the Nominated Parliament to an end. In fact the plan which was now adopted is credited to Lambert's suggestion at the dissolution of the Long Parliament, which in turn was based in some measure on the still earlier *Agreement of the People*. It seems fairly certain that as early as the latter part of November, 1653, after the passage of the bill establishing a new High Court of Justice, a meeting of the officers with Lambert, called back from voluntary retirement, in the chair, considered this problem; and it has been suggested that its solution was halted at that time only by Cromwell's refusal to dissolve Parliament again by force, and to accept the title of King.

In any event the matter was only postponed, for on the day after the abdication of Parliament, Tuesday, December 13, at a meeting of the officers in the Council Chamber at Whitehall, Lambert presented to them the deed of abdication and proposed his plan again. By this time the title of King had been superseded by that of "Lord Governour," and in such form it was again submitted to Cromwell and discussed on December 14 by the General and his officers. With the change to the title of Protector, which implied historically rather a temporary than a permanent office, and another day's discussion over details, it was accepted on the 15th and steps were taken to make it effective immediately.¹ In such fashion was born that constitutional document known as the *Instrument of Government*, drawn up by the army and accepted by its General, as he said later with "Power . . . as boundless and unlimited as before" except that "it hindered me and bound my hands to act nothing to the

¹ Thurloe, i, 632; *Perf. Diurn.*, Dec. 16, 1653.

prejudice of the nations without consent of a Council until the Parliament, and then limited by the Parliament.”²

This decided, the next step was to arrange a public function appropriate to such a fundamental change in government, and in these days of debate over the *Instrument* that, too, was arranged. It was appointed for Friday, December 16, and at one o’clock on the afternoon of that day there set forth a solemn and impressive procession of dignitaries from Whitehall to make its way to the Chancery Court in Westminster to fulfill the formalities of the establishment of a new system of administration and to induct its head into his new office. Led by the Commissioners of the Great Seal, the Barons of the Exchequer and the judges in their robes, after them came the members of the old Council, the Lord Mayor, the Recorder and the aldermen of London in their scarlet gowns, and finally the Lord General in a plain black suit and cloak and a hat with a broad gold hatband, attended by the chief officers of the army. Thus between the ranks of soldiers which lined the way the procession passed into the Chancery Court where the General, taking his stand by the chair of state between the two Commissioners of the Great Seal, remained uncovered while the oath of his new office was read.³ Despite the presence of those officials and of the City authorities, the installation ceremonies were naturally, under the existing circumstances, dominated by the military. Always and everywhere there were soldiers — lining the streets, marching in the procession, and surrounding the Lord General in the Great Hall. Despite his careful avoidance of anything military in his own costume, there could be no doubt but that it was the Lord General of the armed forces of the Commonwealth who was now made Lord Protector by virtue of the army which he commanded. Even in the oath which he now took that fact was emphasized not only by the specific mention of “the Officers of the Army” as his advisers in taking this step, but by the accompanying memorandum which described him as “Captain-General of all the Forces of this Commonwealth, and now declared Lord Protector thereof.” He and his champions declared, with truth, that he had thus “limited” his own power, but the very phrase indicated his possession of that power and its character:

Oath taken by Cromwell as Protector, 16 December 1653

Whereas the major Part of the last Parliament (judging that their sitting any longer, as then constituted, would not be for the Good of this Commonwealth) did dissolve the same; and, by a Writing under their Hands, dated the 12th Day of this instant December, resigned unto me their Powers and Authorities; and whereas it was necessary thereupon, that some speedy Course should be taken for the Settlement of these Nations upon such a Basis and

² Speech, Sept. 12, 1654, *infra*.

³ *Perf. Diurn.*, Dec. 16; *Sev. Proc.*, Dec. 16-22; *Merc. Pol.*, Dec. 16-22.

Foundation as, by the Blessing of God, might be lasting, secure Property, and answer those great Ends of Religion and Liberty so long contended for: And, upon full and mature Consideration had of the Form of Government hereunto annexed, being satisfied that the same, through the Divine Assistance, may answer the Ends aforementioned; and having also been desired, and advised, as well by several Persons of Interest and Fidelity in this Commonwealth, as the Officers of the Army, to take upon me the Protection and Government of these Nations in the Manner express'd in the said Form of Government, I have accepted thereof, and do hereby declare my Acceptance accordingly; and I do promise, in the Presence of God, that I will not violate or infringe the Matters and Things contained therein; but, to my Power, observe the same, and cause them to be observed; and shall, in all other Things, to the best of my Understanding, govern these Nations according to the Laws, Statutes, and Customs thereof; seeking their Peace, and causing Justice and Law to be equally administer'd.

O. CROMWELL.

To this Oath was subjoined the following Memorandum:

Oliver Cromwell, Captain-General of all the Forces of this Commonwealth, and now declared Lord Protector thereof, did, this 16th Day of December, 1653, sign this Writing, and solemnly promise as is therein contained, in Presence of the Lords Commissioners of the Great Seal of England, who administered the same Oath, and of the Lord Mayor and Aldermen of the City of London, divers of the Judges of the Land, the Officers of State and Army, and many other Persons of Quality.⁴

Proclamation by the Council, Dec. 16, 1653.

Whereas the late Parliament dissolving themselves, and resigning their powers and authorities, the government of the Commonwealth of England, Scotland, and Ireland, by a Lord Protector, and successive triennial Parliaments, is now established; and whereas Oliver Cromwell, Captain-General of all the forces of this Commonwealth is declared Lord Protector of the said nations, and hath accepted thereof: we have therefore thought it necessary (as we hereby do) to make publication of the premises, and strictly to charge and command all and every person and persons of what quality and condition soever, in any of the said three nations, to take notice hereof, and to conform and submit themselves to the Government so established. And all sheriffs, mayors, bailiffs, and other public ministers and officers whom this may concern are required to cause this proclamation to be forthwith published in their respective counties, cities, corporations, and market-towns, to the end that none have cause to pretend ignorance in this behalf. Given at White-Hall this sixteenth day of December, 1653.⁵

⁴ *Sev. Proc.*, Dec. 29-Jan. 5; cp. James Heath, *Chronicle* (L., 1676), pp. 354-5; *Parl. Hist.*, xx, 263; summarized in *A Declaration Concerning the Government of the Three Nations*, etc.

⁵ *A Collection of all the Proclamations . . . Passed by his Highness the Lord Protector, and His Council, . . . beginning Decemb. 16. 1653. and ending Septem. 2. 1654.* (London, 1654), p. i. This includes (pp. 2-46) a reprint of the following, "The Government of the Commonwealth of England, Scotland, & Ireland, And

After the oath was signed Cromwell made a short speech, saying that, seeing it was the will of God, and the pleasure of the Council, that he should be invested with so great an honour, as to be Lord Protector, that he desired to rule and govern the three Nations no longer than it might have a perfect dependancie on the great work of the Lord; that so the Gospel might flourish in its full splendor and purity; and the people enjoy their just Rights and Propriety.⁶

The Protector sat down, covered; the Lords Commissioners delivered the Great Seal to him; and the Lord Mayor proffered his sword and cap of maintenance,⁷ all of which Cromwell returned immediately. In the same order of procession he was attended back to the Banqueting House in Whitehall, the Lord Mayor, uncovered, carrying the sword before the Protector all the way. Their arrival at the Banqueting House was greeted with great acclamations followed by an exhortation by Cromwell's chaplain, Mr. Lockyer. At a quarter past four the gathering was dismissed with three volleys of shot.⁸

A proclamation was drawn up on the day of Cromwell's investiture as Lord Protector. On Monday, with sound of trumpet, it was read in several places in London, and later in other parts of the country.⁹ The warrant to the Lord Mayor ordering the proclamation of Cromwell as Protector was dated December 17,¹⁰ and signed by the new Council:

the Dominions thereto belonging; As it was publickly declared at Westminster the 16. day of December 1653. in the presence of the Lords Commissioners of the Great Seal of England, the Lord Maior and Aldermen of the City of London, divers of the Judges of the Land, the Officers of State and Army, and many other Persons of Quality. At which time and place His Highness, Oliver Lord Protector of the said Common-wealth, took a Solemn Oath for observing the same. Published by His Highness the Lord Protector's special Commandment. London, Printed, by William du-Gard, and Henry Hills, Printers to His Highness the Lord Protector. MDCLIII." Proclamation also contained in *Cal. S. P. Dom.* (1653-4), pp. 297-98.

⁶ Pr. in *A Declaration concerning the Government of the three Nations . . . By his Highness the Lord Protector Cromwel* (1653), p. 5. This was printed by R. Wood, who somehow secured an abstract of the *Instrument of Government*, set it up in print, only to have the Council order the copies seized, the presses broken, and Wood brought before Council. *Cal. S. P. Dom.* (1653-4), p. 309.

⁷ According to *Ashmole MSS.*, pp. 142, 222, this was done at 2:17 P.M.

⁸ *Perf. Diurn.*, Dec. 16; *Sev. Proc.*, Dec. 15-22. In a life of Dr. Manton in Harris, *Lives* (1814), iii, 4, quot. in Burton's *Diary*; ed. Rutt (L., 1828), ii, 311-2n., is a story of Cromwell forcing Manton, with no previous notice, to perform this function.

⁹ In *Perf. Diurn.*, Dec. 19; *Merc. Pol.*, Dec. 15-22; *Sev. Proc.*, Dec. 15-22. The sheriffs were ordered on Dec. 16 to proclaim it. *Cal. S. P. Dom.* (1653-4), p. 298. See also Thurloe's letter to the Mayor of Chester with similar order. *Hist. MSS. Comm. Rept.* 8, App. I, 386.

¹⁰ This warrant was sold at auction in 1851 by Puttick and Simpson, from the collection of Donnadieu (*Catalogue of . . . Collection of Mons^r A. Donnadieu*, p. 43; facs. facing p. 43).

Desborough, Lisle, Major, Wolseley, Cooper, Lambert, Pickering, Strickland, Sydenham, Lawrence and Rous.¹¹

The first three documents which he signed after the assumption of his new dignity are characteristic of the man and the situation in which he found himself — a commission to Blake, Monk, Desborough and Penn to the command of the navy which was according to an order of the old Council on December 2;¹² a permit to Colonel Stubbers to transport native Irish to America; and a lease of some of his land in south Wales. Nor is it without interest to note that the first paper he signed as Protector had to do with the armed forces; that the second bore, apparently by oversight, his old signature of "O. Cromwell"; and that the third is the first of which we have knowledge which mentions him as "his Highness," Oliver, Lord Protector:

OLIVER P.

Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland and the Dominions and territories thereof. To our right trusty, and welbeloved Colonel Robert Blake, Colonel George Monk, Lieutenant General of the Ordnance, Major General John Desbrowe and Captain William Penn, Greeting. We reposing special trust and confidence in your approved integrity and fidelity to the cause of the Commonwealth, and in your wisdom courage discretion and experience in military and naval affairs, have by advice and consent of Our Council nominated and appointed and doe by these presents commissionate, authorize and impower you to hold and execute by yourselves or any two or more of you the place or office of Admiral and General of the Fleet or Fleets set forth or to be set forth to sea in the service of the Commonwealth, authorizing and requiring you or any two or more of you forthwith as Admiral and General of the said Fleet or Fleets to take the same into your Charge. And we do by these presents give and grant unto you full power and authority by yourselves or any two or more of you to order, manage and command the same Fleet or Fleets for the service and safety of the Commonwealth. And for that purpose to give Commissions with the seal of the Anchor unto the Vice-Admiral and Rear-Admiral of the said Fleet or Fleets, and to the Admiral of the Irish seas, and all other officers of the said Fleet or Fleets (dur-

¹¹ There is little doubt that the Rous on Cromwell's Council was Francis, who sat in both Protectorate Parliaments, while Col. Rous did not, although he was on the Admiralty Committee and a judge for the Probate of Wills. *Perfect Diurnall* and Heath, as well as the *Instrument of Government* give Francis Rous as a member, while Mrs. Green in her *Calendar of State Papers* gives Col. Anthony Rous, although in her transcripts of the minutes he is always "Mr. Rous." A list of members, with allowances due, in Thurloe, iii, 581, gives "Mr. Rous" while the officers are given their titles. *Verbael*, p. 267, lists the members, giving "Mr. Rous, laetst geweest Spreeker van het gedissolveerde Parlement." All the above named Council members had appointments dating from Dec. 16, while Skippon's dated from Dec. 20, Mackworth's from Feb. 7, 1653-4, Fiennes' from Apr. 27, the Earl of Mulgrave's from June 30. At the bottom of the list are the words, "Lord Deputy" with no notation. Thurloe, iii, 581.

¹² *Cal. S. P. Dom.* (1653-4), p. 280.

ing their being at sea) for the service aforesaid. And also for the better ordering and government of the said Fleets to exercise and execute the power of Martial Law over all persons belonging to the said Fleet or Fleets under your command according to such rules and articles as are or shall be given allowed and approved of for the purpose by the authority of Parliament or by ourself and Council and according to the general customs and laws of the Sea. And the same power of martial law to grant under your or any two or more of your hands and seals to any officer of the said Fleet or Fleets commanding in chief any squadron or part of the said Fleets divided from the rest and in your absence. And further to empower and appoint anyone of yourselves to command in chief the said Fleet or Fleets or any part thereof and exercise therein the powers aforesaid or any of them. Upon such coasts or North Sea and in such service and for such time as he shall by any two or more of you be so empowered, which one of you being so empowered and appointed by any two or more of you shall and may command the said Fleet or Fleets or any part thereof as is last before expressed. And we so hereby will and require the Vice-Admiral and Rear Admiral of the said Fleet or Fleets, as also the Admiral of the Irish Seas and all other the subordinate Captains Masters Officers, Mariners and Soldiers serving in any ship or vessel in the said Fleet or Fleets for the time being to be obedient to you and their several and respective places and to all and every in commands which you or any two or more of you shall give them or any of them for the service of the Commonwealth as holding and executing the said place of Admiral and General of the said Fleet or Fleets as aforesaid. And you likewise and every of you are to observe and follow such orders and directions as you herewith or hereafter shall receive from Ourselv for the service aforesaid. And this commission grant power and authority to continue and be in force during Our will and pleasure and no longer. Given under Our hand and seal the seventeenth day of December one thousand six hundred fifty and three.¹³

License

By His Highness the Lord Protector

I do hereby give license unto Colonel Peter Stubbers or whom he shall employ to transport out of Ireland unto Virginia or the Indias six hundred of the native Irish, such as are vagrant and idle persons, or such as lie in prison except it be for debt or for such crimes as deserve [death?].¹⁴ Given under my hand and seal the 19th of December 1653.

O. CROMWELL.¹⁵

THIS INDENTURE made the xxth day of December in the yeare of our Lord God One Thousand six hundred fifty and three BETWEENE his Highness OLIVER LORD PROTECTOR of the Commonwealth of England Scotland and Ireland of the one part And William Catchmaid of Lancant in

¹³ Original in the possession of the Society of Antiquaries of London. Copied by J. V. Kitto, Esq. Mentioned in Henfrey, *Numis. Crom.*, p. 185. A letter of appreciation was sent to Cromwell from Blake and Penn on Jan. 25. *Cal. S. P. Dom. (1653-4)*, p. 565.

¹⁴ Illegible.

¹⁵ Add. MSS., C132, f. 79.

the County of Glouce^r WITNESSETH that the said OLIVER for and in Consideracon of the sume of ffour pounds in hand paid the receipt wherof he doth hereby acknowledge and thereof doth acquit and discharge the said William Catchmaid. And for divers other good causes and consideracons him therunto moveinge HATH demised granted and to farme letten & by these presents doth demise grant & to farme lett unto the said William Catchmaid ALL that parcell of Meadow called Preist Mead abutting upon the River Wye on the south conteyning four Acres And Alsoe a parcell of Meadow called Tumpie Acre adjoyning to the aforesaid River & abutting upon the freehold land of Mary Catchmaid Conteyning one Acre Together with all wayes waters, watercourses commons commodietyes & appurtenances to the same or any parte thereof belonging or Appertaining TO HAVE AND TO HOLD the said demised premisses with their & every of their Appurtenances unto the said William Catchmaid his executors Adm^{rs} & Assignes from the Annuncacon of the Virgin Mary one thousand six hundred fifty and five for and dureinge and unto the full end and terme of one & twenty years thenceforth next ensuing fully to bee compleat & ended YEILDINGE & payeing therefore yearly and every yeare dureing the said terme unto his said Highnes OLIVER Lord Protector his heires & Assignes the yearly rent of ffour pounds of lawfull moneys of England at or upon every feaste day of Micheal Tharchangell & the Annuncacon of the Virgin Mary by even & equal porcons And two fatt Capons on every first day of January dureing the said terme And his or theire best quicke beast or in default thereof his or theire best Implem^t of Household stiffe for an Herriott at the death of any principall Tenn^t of the premisses AND if it happen the said yearly Rent of ffour pounds or any part thereof to be behinde or unpaid in parte or in all by the space of twenty dayes next after any of the said dayes of paym^t whereon the same ought to be paid as aforesaid (being lawfully demanded) And noe sufficient distresse or distresses to be had and taken upon the premisses to distreine for the same that then and from thenceforth this present Indenture to be utterly voyd & of no effect anything herein conteyned to the contrary in anywise notwithstanding. AND the said William Catchmaid for himselfe his heires execu^{rs} & Admin^{rs} doe covenant promiss & grante to & with the said OLIVER Lord Protector his heires & Assignes by these present that the said willm Catchmaid his execu^{rs} and Admin^{rs} shall and will from time to time at all tymes dureing the said terme well & sufficiently maintaine amend and keep Tenantable the said demised premisses the hedges, ditches, and fences thereof And the same soe sufficiently amended repaired and tenantable at the end of the said terme or other sooner determinacon therof shall & will leave & yield up unto his said Highnes OLIVER his heirs & Assignes And alsoe that he the said Willm Catchmaid his execu^{rs} & Admin^{rs} or any of them shall not nor will not dureing the said terme plow or break up the said demised premisses or any part thereof with out the consent of his said Highnes OLIVER Lord Protector his heirs and assignes or his or their officer or officers for the tyme being AND the said OLIVER Lord Protector for himselfe his heires and Assignes doth covenant promisse and grant to & with the said William Catchmaid his executors and Administ^{rs} That the the said William Catchmaid his execu^{rs} and Admin^{rs} paying the Rente and performing the Covent on theire and any of their partes to be paid and performed shall and may quietly and peaceably have hould possesse and enjoye

the said demised premisses and every part thereof dureing the said terme without the lawfull lett molestation or interruption of the said OLIVER Lord Protector his heires and Assigues or any other person or persons whatsoever lawfully claimeing by from or under him them or any of them IN WITNESSE whereof the ptyes abovesaid to these present Indentures interchangably have sett their hands & seals.

OLIVER P¹⁶

THE NEW COUNCIL

When Henry Neville published his satire on the Cromwellian régime, *A Game at Pickquet* — after that game was over — he put in the Protector's mouth an observation to the effect that he had “a good beginning on't; I have thrown out my best Cards, and got none but a Company of Wretched Ones;” and in the mouth of Major Salwey the remark that “I observe the small Cards that are left, and not plaid with, are all very clean; but the rest of the Pack are filthy foul already.”¹⁷ Applying these similes, as he does, to the Cromwellians, especially the members of the Protectoral Council, with all his witty thrusts, Neville fell somewhat short of the result. It is true, as he makes Cromwell say, that in his progress toward supreme authority the Lord General had thrust out of his way or lost the support of many of the leading spirits with whom he had set out on his journey. The men by whom he was now surrounded and supported were a very different company not only from that with which he had fought through the civil wars but even from that which had wielded the destinies of the Commonwealth. Holles and Stapleton with their Presbyterian colleagues had long since disappeared. Republicans like Sydney and Ludlow were now remote from the center of affairs. Fairfax and Vane were gone, and even St. John, Bradshaw, and Haselrig no longer played much if any part in the direction of national policy.

To replace them Cromwell had gathered around him a group of such men as always rise to power under such leadership in troubled times, men of experience in administration and of no such deep and settled convictions as to form and ideals of government as animated many of those whom they had displaced. Naturally they were men who for the most part were, or had been, in the army — Lambert, Desborough, Skippon, Jones and Sydenham as still active there; Montagu, who was to rise to eminence in naval command, and Lisle as former officers. All, save perhaps Skippon, who was chosen last and who was not one of Cromwell's “creatures,” were men of good family background and

¹⁶ Original, with seal, in the Tangye Collection in the London Museum. Sold at auction July, 1851, by Puttick and Simpson, from the collection of Donnadieu (*Catalogue of . . . Collection of Mons^t A. Donnadieu*, p. 43).

¹⁷ Henry Neville, *Shuffling, Cutting and Dealing, in a game at Pickquet; being acted from the year 1653 to 1658 by P. O. . . . , 16 May, 1659.* Cp. W. C. Abbott, *Bibliography of Oliver Cromwell* (Cambridge, Mass., 1928), no. 1015.

property. Three — Pickering, Wolseley and Cooper — were baronets; while three — Lisle, who became Earl of Leicester, Cooper, who became Earl of Shaftesbury, and Montagu, who became Earl of Sandwich — were destined to higher dignities in the ensuing period. The circle was infused with family connections. Desborough and Major were close relatives of the Cromwells; Montagu was the brother-in-law of Pickering who, in turn, was Lawrence's cousin. Many of them had been at the Inns of Court — Pickering, Strickland and Lawrence who were of Gray's Inn; Rous, Cooper, Desborough and possibly Lambert in some one of the others.¹⁸ Nor were they without administrative knowledge and experience. Lisle and Lawrence were familiar with the Irish problem, Lisle having been Lord Lieutenant and Lawrence a Commissioner there. Lambert knew Scotland; Jones, Wales; and Strickland had had some experience with the Dutch. Rous was an experienced parliamentarian; Pickering had long been an official; and the young Sir Anthony Ashley Cooper had already revealed many of the qualities which were to make him the most accomplished politician and administrator of his time.¹⁹

With such membership and under such conditions the first meeting of the Council was held on December 19, when it was ordered that all petitions and addresses of foreign states be directed to "H. H. the Lord Protector." On the next day, after ordering the repurchase of certain lands and parks formerly belonging to Hampton Court, which was to become the Protector's favorite residence,²⁰ they voted to have an Act prepared for renewing powers for the probate of wills and to have the forms of writs and patents looked into by legal authorities; while their secretary, Thurloe, was commanded to perfect the *Instrument of Government* with all possible speed.²¹ To this preparation for the new order was added a proclamation by his Highness for continuing in office all persons having to do with the execution of public justice at the time of the late change in government until his Highness' further direction.²²

By the Lord Protector.

A Proclamation of his Highnes, with the consent of his Council, for continuing

¹⁸ Sir Humphrey Mackworth, added a little later to the Council, was also of Gray's Inn. Whitelocke says Lambert studied law in one of the Inns of Court (*Memorials*, p. 254).

¹⁹ Cromwell is said to have asked William Pierrepont to serve also (Thurloe, 1, 754-5), but although he remained Cromwell's friend he also remained in retirement.

²⁰ Several orders for repurchase of parts of the Hampton Court properties at a profit to the purchasers, who were ordered to sell their interest, appear in the Council Order Book in January and February, 1653-4. *Cal. S. P. Dom.* (1653-4).

²¹ *Ibid.*, p. 301; *Instrument* pr. in *Sev. Proc.*, Dec. 29-Jan. 5.

²² A *Proclamation*, etc., pr. as a broadside, and in *Perf. Diurn.*, Dec. 21; also in *Merc. Pol.*, Dec. 15-22; and also in Dutch translation.

all Persons being in Office for the Execution of Publike Justice at the time of the late change of Government, until his Highnes further Direction.

Oliver, Lord Protector of the Common-wealth of England, Scotland, and Ireland, considering, that whereas the exercise of the Chief Magistracy, and the Administration of Government within the said Common wealth, is invested and established in His Highnesse, assisted with a Council, And lest thereupon the settled and ordinary course of Justice in the Common-wealth (if remedie were not provided) might receive Interruption, His Highness in His Care of the State, and Publike Justice thereof (reserving to future consideration the reformation and redresse of any abuses of Misgovernement, upon better knowledge taken thereof) is pleased, and doth hereby expresly signific, declare and ordain, by and with the advice and consent of his Council, who have power until the meeting of the next Parliament to make Lawes and Ordinances for the peace and welfare of these Nations, where it shall be necessary, which shall be binding and in force until Order shall be taken in Parliament concerning the same, That all Persons who on the tenth day of this instant *December* were duly and lawfully possessed of any place of Judicature, Office of Authority, Jurisdiction or Government, within this Common-wealth, shall be, and shall so hold themselves continued in the said Offices and places respectively as formerly they held and enjoyed the same, and not otherwise, until his Highnesse pleasure be further known; And all Commissions, Patents, and other Grants, which respect or relate unto the doing and executing of publike Justice, and all Proceedings of what nature soever, in Courts of Common Law, or Equity, or in the Court of Admiralty, or by Commissioners of Sewers, shall stand and be in the same and like force to all intents and purposes as the same were on the said tenth day of this instant *December*, untill further Order given by his Highnesse therein, And that in the mean time (for preservation of the publike Peace, and necessary proceedings in matters of Justice, and for Safety of the State) all the said Persons, of whatsoever Place, Degree, or Condition, may not fail every one severally according to his respective Place, Office or Charge, to proceed in the performance and execution of all Duties thereunto belonging, as formerly appertained to them and every of them, whilst the former Government was in being.

Given at White-Hall this 21. of December, in the year of our Lord 1653.²³

This, in effect, recognized and confirmed his position as head of the administration. On the next day, according to a later pamphlet, the proceedings relating to the establishment of the Protectorate were crowned by the new head of the state who, meeting the Council in the Council Chamber in Whitehall, "made a sweet speech to them, pressed the Council to act for God, and the peace and good of the Nations; and particularly recommended to them to consider and relieve the distresses of the poor and oppressed; and several things were transacted in order to a quiet and peaceable settlement of the three nations."²⁴

²³ Coll. Of Proclamations (1654).

²⁴ A Copy of the Letter from his Excellency, etc. (London, 1656); substance of speech in C. L. Stainer (L., 1901), *Speeches of Oliver Cromwell*, p. 122.

The new order thus constituted, what was the effect of this new change in government on the people at large, especially on those who thus far had followed the fortunes of the revolutionary leaders? When a great movement like the Puritan Revolution begins to show signs of having run its course and seems to approach the end of its mandate; when men are no longer moved by the voices of its charmers, charm they never so wisely, it is not difficult to understand why they endure, even welcome, some sort of dictatorship. Disillusioned, weary of strife and uncertainty, exhausted by a long series of crises, perceiving the promised millennium receding year by year, fearful of anarchy, they are an easy prey for the arguments and the forces at the command of a "strong man." Under such circumstances a dictatorship appeals not only to those who desire above all things a firm and settled government, but to those who see visions of a world cleansed and regenerated by some new miracle of political change which might somehow manage to transmute vice into virtue, evil into good, dishonesty into honesty, selfishness into philanthropy, so that mankind would rise from its dead self into higher things by this new magic formula of politics. That dream of the regeneration of human nature by a political formula, that triumph of hope over experience, has been the burden of the years. Yet it would seem in the light of that experience the most profound of fallacies that in any deeper sense new systems make new men. They can, at best, only provide some better framework in which human nature can be encouraged in its higher and discouraged in its lower manifestations; and among the tragedies of such movements, one of the greatest is the disillusionment which comes to those who have staked their all on a panacea which fails to cure.

That disillusionment came to many at this time, and to none more than to the man who had exchanged the greatest poetical talent of his age, and of almost any age, for a dreary and in the main futile excursion into politics. Thus it was that John Milton, seeking relief from the troubles of the world about him in the troubles of the past, injected into his *History of Britain* a "Digression" which forms at once an indictment and an epitaph of the movement for which he had sacrificed so much. As he writes of the leaders of the late Commonwealth:

... they who had the chiefe managment . . . were not found able after so many years doeing and undoing to hitt so much as into any good and laudable way that might show us hopes of a just and well amended commonwealth to come. . . . They had armies, leaders and successes to thir wish; but to make use of so great advantages was not thir skill . . . so brought they these of late after many labours, much blood-shed, & vast expence, to ridiculous frustration. . . . When once the superficial zeale and popular fumes that acted thir new magistracie were cool'd and spent . . . every one betooke himself, setting the common-wealth behinde and his private ends before, to

doe as his owne profit or ambition led him. . . . Some who had bin call'd from shops & warehouses without other merit to sit in supreme counsels & committies, as thir breeding was, fell to hucster the common-wealth. . . . Thir votes and ordinances which men look'd should have contain'd the repealing of bad laws & the immediate constitution of better, resounded with nothing els but new impositions, taxes, excises, yearlie, monthlie, weeklie, not to reck'n the offices, gifts, and preferments bestow'd and shar'd among themselves.²⁵

Nor was this all his indictment of the Commonwealth. Religion, he declared, was in no better case, for those who had been loudest in their denunciation of the clergy of the Established church were foremost in seizing livings, "collegiat masterships in the universitie, rich lectures in the city." They became pluralists, they demanded that the magistrates use "bodilie compulsion . . . as a stronger means to subdue and bring in conscience then evangellic perswasion." In particular he objected to the crowding in of the "illiterate, persecutors more then lovers of the truth, . . . to whom not godliness with contentment seem'd great gaine, but godliness with gaine seem'd great contentment, like in many things whereof they had accus'd thir predecessors." Thus, as he concludes,

they who but of late were extoll'd as great deliverers . . . by so discharging thir trust as wee see, did not onely weak'n and unfitt themselves to be dispencers of what libertie they pretended, but unfitted also the people, now growne worse & more disordinate, to receave or to digest any libertie at all.²⁶

Such was the complaint of a disillusioned liberal, whose prayers had been answered but not in such fashion as he had dreamed. From that it was but one step further, "for stories teach us," he continued, "that liberties sought out of season in a corrupt and degenerate age brought Rome itself into further slaverie." Then, rising into truly Miltonic heights of eloquence, he proceeds to his remedy — to find a man who could and would end the corruption and wickedness, the weakness and dishonesty of government, in brief a dictator, the man to whom he had long since pledged his allegiance and whom he had served zealously with tongue and pen for years. "Cromwell, we are deserted; you alone remain . . . there is nothing in human society, more pleasing to God or more agreeable to reason, nothing more just in a state, nothing more useful than that the worthiest should possess the sovereign power."²⁷

If the greatest pen in Britain thus gave up the case, what were lesser men to do? Milton was and had long been a paid servant of Cromwell

²⁵ Milton, *History of Britain (Digression)*, in *Works* (Columbia Univ. ed.), x, 317-20.

²⁶ *Ibid.*, pp. 323-4.

²⁷ Milton, *Defensio Secunda*, in *Works* (Columbia Univ. ed.), viii, 223.

and the government, but there was a horde of men not so bound, and from them, especially from the Fifth Monarchists, there rose a shout of rage at what they regarded as the betrayal of "the good old cause"; and in this they were seconded by the old Leveller elements and the Republicans, encouraged, though not joined, by the Royalist Anglicans and Presbyterians. Hardly had the Protectorate been established when on the evening of December 19 the Fifth Monarchist ministers, Christopher Feake and Vavasour Powell, in their meeting-house in Blackfriars sounded the alarm. Beginning with a Scripture lesson they soon turned to current politics, lamenting the corruption of the army leaders by their new and unaccustomed wealth. Powell appealed to the Almighty to ask whether it was His will that Cromwell should reign over them, recalling their earlier opinion of the Protector "that in the field he was the graciousest and most gallant man in the work, but out of the field, and when he came home to government, the worst."²⁸ The meeting was reported by the journalist Marchamont Needham, and within two days Feake and Powell were in temporary custody. For having described Cromwell as "the most dissembling and perjured villain in the world," and like language, Feake was imprisoned for four days and arrested again at the end of January, deprived of his preferment and committed to Windsor Castle. Powell, carried before the Council, seized the opportunity to preach to the people in the anteroom, was soon released, but, continuing his attacks on the government on Christmas day, was re-arrested in January. Again released, he was seized once more in Wales where he had drawn up a "testimony" against the "usurpation" which was signed by some three hundred persons besides which he was reported as having enlisted troops. From this time on he remained, like Feake, an irreconcileable opponent of the Protectorate. Another Fifth Monarchist, John Simpson, arrested for assuming to prophesy and declaring that Cromwell's rule would only last six months, was arrested but released on promise of good behavior.²⁹ The visionaries were bad, but the soldiers were worse, and Harrison in particular threatened to become a menace to the government, which he refused to acknowledge, and so was deprived of his commission, but not arrested at this time.³⁰ In addition to these incidents a court martial was held on January 7 when "several offences [were] punished in the Souldiery."³¹

²⁸ *Cal. S. P. Dom.* (1653-4), p. 306.

²⁹ *Ibid.*, pp. 304-9, 353, 368, 371; *Cal. S. P. Ven.* (1653-4), p. 169; Thurloe, ii, 174, 226.

³⁰ Thurloe, i, 641; *Cal. S. P. Ven.* (1653-4), p. 169; Bernardi's dispatch in *Atti della Soc. Ligure di St. Patria*, xvi, 133; *Hist. MSS. Comm. Rept.*, Various Collections, ii, 270 (Buxton).

³¹ *Sev. Proc.*, Jan. 7.

THE INSTRUMENT OF GOVERNMENT

Such reactions as those of Milton who welcomed and those of the Fifth Monarchists and soldiers who dreaded the creation of a dictator with more power than the monarchy had ever exercised, are the commonest phenomena of a revolutionary movement, but they seldom modify the facts of the situation. More important by far were the terms of Cromwell's occupancy of the highest place in the state and the policies which he followed. As to the first, the *Instrument of Government* defined them in language which was clear to all. "The supreme legislative authority," it declared, "shall be and reside in one person, and the people assembled in Parliament; the style of which person shall be the Lord Protector of the Commonwealth of England, Scotland and Ireland." "The exercise of the chief magistracy and the administration of the government," it went on to say, "shall be in the Lord Protector, assisted with a council, the number whereof shall not exceed twenty-one, nor be less than thirteen." Harking back to the forms of the old Long Parliament after the execution of the King, it decreed that writs, processes and the like "which now run in the name and style of the keepers of the liberties of England by authority of Parliament, shall run in the name and style of the Lord Protector." From him were to be derived "all magistracy and honours." He was to have the power of pardons, save in cases of murder or treason, and benefits of all forfeitures; authority over all armed forces, including the militia; foreign affairs; war and peace. He was, in brief, with his Council, to have all and more than all of the power once vested in monarchy, limited only by the Parliament which was to be summoned for September 3, 1654, and thereafter every three years, to legislate and tax.³²

The plan for that Parliament was based on the old scheme of the *Agreement of the People*, with the additional proviso that the Protector and Council might set up constituencies in Scotland and Ireland. The electorate was to include all who had real or personal property worth £200, but all who had taken the part of the King in the civil wars were debarred from voting in the first election and from sitting in the first four Parliaments; while Irish rebels and Roman Catholics were permanently disqualified either from voting or membership in the House. As in the *Agreement*, there was to be no Upper House. The membership of the Parliament thus constituted was to be confined, according to the now familiar formula, to those "of known integrity, fearing God, and of good conversation." And it is noteworthy that in this new constitution for Great Britain and Ireland there was inserted a definite provision for the support of an armed force of ten thousand horse and dragoons and

³² Text in *Parl. Hist.* xx, 248-62, whence repr. in Gardiner, *Const. Docs. of the Puritan Revolution* (Oxford, 1899), pp. 314ff.

twice that number of infantry, besides the navy, with a provision of two hundred thousand pounds a year for "other necessary charges of administration of justice, and other expenses of the government." From this, presumably, among the other officials, the Protector was to be paid, while the lands of the Commonwealth, with certain exceptions, were to be vested in the Lord Protector, to whom were payable also debts, fines, issues and the like hitherto payable to the Keepers of the Liberties of England — otherwise the Parliament. With these went the important proviso that the office of Protector was to be elective, not hereditary. Finally with the establishment of "the Christian religion, as contained in the Scriptures," as the "public profession" of the nation, with provision for the "encouragement and maintenance of able and painful teachers," toleration for all who did not "abuse this liberty to the civil injury of others and to the actual disturbance of the public peace," — except for Catholics and those who "hold forth and practice licentiousness" under guise of "the profession of Christ," — the *Instrument* set the now united Protectorate of Great Britain and Ireland on its way.

To maintain his new dignity, the Council voted the Protector the palace of Whitehall which was to be fitted up with furnishings worth twenty thousand pounds from the property of Charles I;³³ and every effort was made to give the new head of the state the income and the trappings of power which seemed fitted to his high office. There were many, especially abroad, who thought that Cromwell should have taken the title of King,³⁴ among them Queen Christina who expatiated to Whitelocke on the subject of Cromwell's greatness. "Your General," she informed the English ambassador, who arrived in Gothenburg on November 16, "hath done the greatest things of any man in the world, the Prince of Condé is next to him, but short of him. I have as great a respect and honour for your General as for any man alive; and I pray let him know as much from me."³⁵ At a later audience the Queen was assured by Whitelocke, in answer to her inquiries, that Cromwell's children were all of good parts and liberal education. She remarked on the similarity between Cromwell's career and that of her father, Gustavus Adolphus, and — though the ambassador disagreed — declared that she believed Cromwell was ambitious for the crown.³⁶

It was not surprising that the daughter of the "Star of the North" whose ancestor, the founder of the Vasa monarchy, had risen from the ranks of the nobility to the throne, should express sentiments more

³³ *Sev. Proc.*, Dec. 22–29; Whitelocke, p. 577; *Cal. S. P. Dom.* (1653–4), p. 348.

³⁴ Letter from Paris, Dec. 24/Jan. 3, Thurloe, i, 647.

³⁵ Whitelocke, *Swedish Embassy*, i, 251; Thurloe, i, 601–2.

³⁶ This was on Jan. 4. Whitelocke had five audiences that week (*Swedish Embassy*, i, 295; Thurloe, ii, 10–11).

favorable to a "usurper" than were likely to be held by the hereditary rulers of the Continent in general. Had the Protector known of her favorable attitude he would have had less doubt of the recognition of his position than the letters which he sent to the Queen and his ambassador at this moment reveal:³⁷

To Queen Christina

Oliver, Lord Protector of the Republic of England, Scotland and Ireland, and their Dominions,

To the most serene and powerful Princess and Lady, Lady Christina, by the grace of God Queen of the Swedes, Goths and Vandals, Great Princess of Finland, Duchess of Esthonia, greeting and the prosperous issue of events.

MOST SERENE AND POWERFUL QUEEN,

When in accordance with His inscrutable wisdom it pleased God, who directs and governs all things by His will, to change the form of government and supreme power in these nations, in consequence of this the most noble Bulstrode Whitelocke, Constable of Windsor Castle, and one of the Keepers of the Great Seal of England, departed from here, especially sent as Ambassador Extraordinary by the Parliament of the Commonwealth of England to Your Majesty, to consult with you concerning those things which are of future advantage to both peoples. Therefore we considered it necessary to give Your Majesty absolute assurance that nothing on account of this present change of circumstances will diminish the sincere good-will and friendship of this Commonwealth towards Your Majesty or your dominions. In truth, just as in the exercise of that authority which has been intrusted to us by God and the people, we have considered ourselves bound to cultivate a good understanding with neighbors, so we consider ourselves bound to do the same first and above all with the Crown of Sweden, between which and these nations a close treaty and firm friendship have existed for a century. And so we have therefore given these mandates to the said Lord Whitelocke which may attest a similar good disposition; we ask that, as often as he should require it, you kindly grant him a friendly audience and have undoubting confidence in the things which he is about to propose for our part. Likewise we heartily commend Your Majesty and your affairs to the divine will of the Highest Ruler. Given from Whitehall, 23 December (old style), 1653.

Your good friend,

OLIVER P.³⁸

Diploma of instructions given to Bulstrode Whitelocke, Constable of Windsor Castle, one of the Keepers of the Great Seal of England, Ambassador Extraordinary from the English Commonwealth to the Queen of Sweden.

Seeing that you have recently been sent under the title of Ambassador Extraordinary by the Parliament of the Commonwealth of England to Her

³⁷ See a letter from R. Stapylton, of Whitelocke's entourage, to Cromwell, Dec. 23. Thurloe, i, 645-6.

³⁸ From the original in the Riksarkivet in Stockholm, in Anglica: bundle en-

Majesty the Queen of Sweden, to renew and contract a treaty and alliance with the said Queen and Kingdom according to the commission and instructions accepted by you from the said Parliament and from the Council of State of that time; and seeing that after your departure hence the said Parliament of that time was dissolved and the Protectorate was founded and established for the reason of which you have been informed by the letter of Lord Thurloe, Secretary of the Council, who in the Council accepted the mandate to explain to you the course of the whole affair; now, lest perchance the matter committed to you, which is as sincerely desired from our side as it is necessary for both nations, should be broken off or delayed because of changed circumstances and because of questions probably arising therefrom concerning the validity of your commission and instructions, it seemed expedient to the Council summoned in this to write a new letter of credentials, a copy of which you are receiving herewith, to Her Majesty, which letter you shall deliver to the Queen. And by virtue of these presents you shall inform Her Majesty that the change of government here has altered none of our good intentions towards Her Majesty and her Dominions, that the same inclination to any good understanding and mutual agreement with the Queen and Kingdom will be found in us just as what was promised formerly under the rulers of these Nations should be kept as well as increased. Finally, you are instructed by the authority of these presents to proceed with the negotiation undertaken, and to endeavor to bring the treaty with her Majesty to a good result, in accordance with the tenor and sense of the power of commission and of the instructions already accepted by you; these things I shall later ratify and sanction just as the nature of the affair may demand.

Before your lordship deliver these letters credential to the Queen, or make any addresses to her, you are to inform yourself fully of the reception you are like to have, and whether her intentions be to come to a treaty of amity with this state, as the government is now established; that no dishonor may befall us, or these dominions, in your addresses upon these letters and instructions.³⁹

Given at Whitehall this 23 of December, 1653.

OLIVER P.⁴⁰

Whitelocke delivered the Protector's letter to Christina and wrote of her expressions of pleasure at the news of the establishment of the Protectorate and her intention to send an early reply to Cromwell's letter.⁴¹ This was, however, of no great immediate advantage to the English

titled "Parlamentets och Protektorernas originalbref till svenska konungahuset 1645–1660." The letter is pr. in Whitelocke, *Swedish Embassy*, ii, 474; an English translation is in *ibid.*, i, 473–4.

³⁹ This paragraph is omitted from the copy which Whitelocke submitted to the Queen and which is preserved in the Riksarkivet in Stockholm.

⁴⁰ From the copy of the Latin original in the Riksarkivet in Stockholm, in *Anglica: Transactions, 1633–1660*. See *infra*, App. II (1). An English translation, including the paragraph omitted in the copy from the Swedish archives, is in Whitelocke, *Swedish Embassy*, i, 474–5.

⁴¹ Thurloe, ii, 22–3.

government. Even then the Swedish queen was facing the results of her extravagance in domestic affairs and of her injudicious actions both public and private, and the days of power which remained to her were few and full of trouble. None the less this interchange of letters between the Protector and the Swedish queen was of importance in that it was the first formal correspondence between the head of the English revolutionary government and a European monarch. It marks, in fact, the definite entry of the Commonwealth into the affairs of the European system, and it was fortunate for its leaders that they had to deal with such a character as the queen of Sweden, as it was fortunate for that country, divided and bankrupt as it was, to have an ally so powerful and so anxious for friendly relations.

Meanwhile the English revolutionary leaders were busy organizing their new administration. As to its details the wildest rumors were afloat — that Lambert was to be a duke and Lord General, that Lord Say and Sele was to be Chamberlain and St. John Lord Treasurer⁴² and that Cooper had accepted the office of Chancellor — but none of these predictions were fulfilled. Cromwell kept the post of Lord General for himself; Colonel Philip Jones became Comptroller of the Household; and it was several months before St. John was even made a Treasury Commissioner.⁴³ By a new ordinance eight commissioners were appointed to examine how the revenues could "best be brought into one chamber."⁴⁴ The old indeterminate informality of the Commonwealth disappeared as the Protectorate took on much of the functions and ceremony of royalty. To the foreign representatives this was both an advantage and a disadvantage. On the one hand they now had to deal with a recognized head of the state, not with the somewhat undefined authority of Parliament and Council. On the other hand the Protector assumed not only the functions but the forms of regality. Sir Oliver Fleming, who remained as Master of Ceremonies, informed the Dutch deputies that the Protector was to be treated with the respect accorded to ruling monarchs and that since they were not ambassadors they must go to him with their caps in their hands.⁴⁵

This was symbolic of the new status of Cromwell and of the revolutionary government generally, especially in its relation to foreign powers, and it produced a minor crisis in the lives of the foreign envoys. The Dutch avoided the Protector's audience-room. The French ambassador who had been instructed earlier to conduct negotiations "*sans affectation*

⁴² Interception London letter, Dec. 23, Thurloe, i, 645; Rawlins to Buxton, *Hist. MSS. Comm. Rept.*, *Various Collections*, ii, 270 (*Buxton MSS.*).

⁴³ In August, 1654. Apparently he never served.

⁴⁴ *Cal. S. P. Dom.* (1653-4), pp. 317-18 (Dec. 31).

⁴⁵ Jongestal to Nassau, Dec. 23, Thurloe, i, 644; Newsletter Dec. 23, Macray, ii, 294.

et sans éclat," ceased to request audiences and endeavored to meet the Protector as he walked in the Park. Unwilling to undergo the humiliation of remaining uncovered in the Protector's presence, he thus followed the example of the Dutch deputies.⁴⁶ The Spanish ambassador, on the other hand, was troubled by no such problems of etiquette. When he went to congratulate the Protector on December 27, he found Cromwell seated with three members of the Council on either side of him, and the usual guards and attendants in the audience chamber. Cromwell rose to greet the ambassador and after an exchange of civilities Protector and envoy resumed their hats while every one else remained uncovered. The Portuguese ambassador followed the example of the Spaniard on December 29, but others, like Bordeaux and the Dutch envoys, remained aloof for the time being. And it was noted that not only was every one admitted to audience carefully scanned by the guards but that not all foreign attendants were admitted and that to reach Cromwell's "cabinet" it was necessary to pass through four apartments with closed doors — which was the usual procedure in Continental courts.⁴⁷

From all of these details it is apparent that for the sake of his country and his cause, if not for his own, Cromwell was determined to break the ring of diplomatic isolation which had surrounded the Commonwealth. He was no less determined to exact every mark of respect due to a sovereign state and its ruler from the representatives of other powers and from those powers themselves. If Great Britain was to enter the European system again under his guidance, it was not to be, as it had been for the past few years, by underground negotiations with dubious agents of revolutionary elements but on an equality with even the proudest of Continental ruling houses.

On the other hand, despite the insistence on the formalities of diplomatic usage, the Dutch conferred frequently, if informally, with the Protector, with Lisle, and with other members of the Council on the treaty then under discussion. Of all its articles in dispute the one on which Cromwell was most insistent was the exclusion of the House of Orange from office, while the Dutch were almost equally obstinate in opposing this provision, and for good reason. Within their lifetime the envoys had seen the United Netherlands emerge from relative obscurity to the position of a world power under the guidance of successive rulers of that able family, to which a great part of the people were deeply attached. To assent to its perpetual exclusion from office would seem not only the height of ingratitude but a political blunder of the first magnitude, and one not to be forgiven by the Orange party which might conceivably return to power. On the other hand that house, connected with

⁴⁶ *Sev. Proc.*, Dec. 29-Jan. 5; Paulucci to Sagredo, Jan. 8/18, *Cal. S. P. Ven.* (1653-4), p. 173.

⁴⁷ *Ibid.*, p. 168; see also *Sev. Proc.*, Dec. 22-29.

the Stuarts by marriage, had been the most ardent supporter of the Stuarts, and the Protector was naturally bent on removing all possibility of further danger to the revolutionary cause from that quarter.

Thus the matter stood when on December 28 he offered in writing to accept from the province of Holland a secret article of exclusion in place of a public declaration, and at about the same time⁴⁸ had a private interview with Beverning, which the Dutch envoy recorded as follows:

At five o'clock in the afternoon Beverning appeared in the audience chamber where he found the Protector with his back to a long table, standing with his face to the fire, bare-headed — Lisle, Lawrence and Thurloe at his side, the chamber full of noblemen and officers. After the usual compliments, offered in Latin, everyone was dismissed from the chamber except those three, and they proceeded to a discussion of the inclusion of Denmark.

"Cromwell answered immediately that he had suffered grave injustices and insults from the King without having given any cause and that he could not refrain from asking satisfaction and reparation, and that he considered the States General so reasonable and just in their procedures that they did not ask him not to make any demands on the King of Denmark." The Dutch envoys thereupon offered to mediate, and Cromwell replied "that the people had suffered much and that the government should satisfy his people in this respect and that he would ask for further information and would give his final opinion in a few days, and that the English had some other questions to settle with the King of Denmark, unconnected with those points of reparation and satisfaction and in which the interests of the States General were not involved. And that about those points the ambassadors had negotiated but had come to no agreement." The Dutch offered to try to prevent further delay, pointing out however that the States General already were bound to Denmark by treaty and that Denmark should therefore be included. Cromwell answered that "the King of Denmark was very happy to have the alliance of the Dutch who were so zealous in promoting his interest; he asked the ambassadors to put in writing what they had said in this conference and promised them prompt consideration." Concerning inclusion of France, Cromwell answered "that this great enterprise had to proceed and that they would try to remain in good relations with all their neighbors and that afterwards everything would be brought to greater perfection." "And concerning the twelfth article, touching the Prince of Orange, the Lord-General could not by any argument be induced to depart from it. He stated at length the wrongs and sufferings of which he said that House had been the cause, adding

⁴⁸ Beverning dated the interview Jan. 6 (*Verbael*, p. 276), which Geddes (*De Witt*, pp. 390-1) takes to be Old Style; if he left on Jan. 3 (see *infra*) the interview was probably on Dec. 27.

that the English government would never have perfect security against the Dutch so long as it feared that the supreme authority and the direction of the army and fleet might fall into the hands of those who might have pretensions against England, or who were so closely related to those who had already taken up the title of King. And after some conversation as to the supreme authority which remains always in the hands of the States and the Regents, as to the bond of fidelity which binds all the servants of the State, great and small, to it, the uncertainty whether the young Prince might live, and what his character might be, and lastly as to the resolutions which the States General or the Provincial States might take in reference to the Prince, the Lord-General answered that these arguments were more specious than satisfactory; that he thought that it would be of interest to the States General to see to it that they themselves obtain definite security on this point; that he did not doubt of the intention of the States of Holland, as he had seen their resolution on this subject, passed a considerable time ago, which he thought was very vigorous and smacked of true freedom, adding that he knew well that a point of this nature which affected all the provinces would take a long time to be brought about; that the desire of the English government was to bring this treaty to a conclusion quickly; and therefore if the province of Holland would grant the assurance that it would persist in the resolution referred to, the English government would accept that as an expedient, in order to be rid of the business altogether.”⁴⁹

To the proposal that the matter be left to the States General and to the assurance of the province of Holland that it would adhere to its resolution to exclude the House of Orange from public service, Beverning could hardly object; and that obstacle to the signing of the peace was at least provisionally surmounted. That Cromwell did not doubt that Holland under the guidance of John de Witt would agree and that even the States General might be brought to the same conclusion, seems evident from his conversation; and in both these conclusions he was justified by the event, for de Witt, as head of the Amsterdam party opposed to the Orange faction, at once set to work to accomplish the exclusion. One point remained to be settled — the omission of Denmark from the treaty — and on Cromwell’s stubborn insistence on that provision and the equally stubborn determination of the Dutch to stand by their ally, the negotiations broke down after long and secret discussion between them and the Protector. They finally asked for and received their passports and left for Gravesend to wait for a favorable wind to take them to Holland. Cromwell was profoundly disappointed and disturbed, realizing that the continuance of the war might well weaken or even destroy his government;⁵⁰ and, as a last, desperate effort to prevent the

⁴⁹ *Verbael*, pp. 276–8; trans. in part in Geddes, *De Witt*, pp. 390–1.

⁵⁰ *Verbael*, pp. 275–92; *Cal. S. P. Ven.* (1653–4), p. 174; *Sev. Proc.*, Jan.

breakdown of the negotiation, he sent Colonel Dolman to assure them that he would reconsider the Danish question if they would return. Beverning, it seems, was in favor of going back, but Jongestal, having promised Bordeaux that he would go home alone rather than sign a preliminary treaty which did not include France, seized the opportunity to refuse to return to London, and the Dutch envoys set sail on January 3 to confer with their superiors.⁵¹

Such was the complicated negotiation by which the revolutionary leaders on each side of the Channel endeavored to bring the war to an end and to secure their own positions, for each was threatened by the existence of a monarchical party and each was determined not to yield either to it or to foreign enemies. While, then, in Holland de Witt planned how to obtain the assent of the States General to the secret Article of Exclusion, the English Protector sought to consolidate his position at home and abroad. Before the Dutch envoys departed, besides appointing new officials the Council had begun to issue a series of legislative decrees called "ordinances," most of them reviving, continuing or repealing former acts.⁵² From this the Council proceeded to consider how to effect the long discussed reform of drawing all financial matters into the one department of the Treasury and so not only dispense with many overlapping offices but bring some order out of the chaos in which finances had long been sunk.

With the addition of ordinances continuing the powers of the Committees for Compounding, for the Advance of Money, and for Indemnity, further steps were taken to set the new financial machinery in motion as the administration began to get under way. Prisoners from the Tower out on bail were ordered to give new bonds to the Protector; and as December drew to a close, orders and instructions were sent in his name to the military units, to English representatives abroad, and to the governors of the colonies, including the vexed province of Virginia, whose troubles were called to the Protector's attention on the last day of the year.⁵³ In the meantime letters had poured in from every part of

5-12; Thurloe, ii, 29. The cost of the navy was very materially decreased in 1653. In 1651 the Navy Treasurer had issued £460,000; in 1652, £600,000; and in 1653 only £140,000. Statement of Hutchinson in *Cal. S. P. Dom.* (1653-4), p. 341.

⁵¹ Geddes, *De Witt*, p. 337; Thurloe's letter of Jan. 5 to the Dutch expressing Cromwell's dismay at their refusal to return is in the Rijksarchief at the Hague, 1 Leg. Arch. 789.

⁵² Firth and Rait, ii, 823-30; *Perf. Diurn.*; *Cal. S. P. Dom.* (1653-4), pp. 310ff.; *Coll. of Proclamations* (1654), *passim*: Dec. 24, for continuing the excise; for continuation of an act for redemption of captives; for reviving an act for probate of wills and granting administrations; Dec. 26, for changing names and forms in legal documents; Dec. 29, appointing commissioners of excise; Dec. 31, for continuing commissioners for compounding, indemnity and advance of money.

⁵³ *Cal. S. P. Col.* (1574-1660), pp. 412-3.

the three kingdoms announcing the proclamation of the Protectorate and giving assurances of support; and on December 30 the Protector and his officers held a solemn ceremony of humiliation at Whitehall marked by sermons and prayers from Cromwell's chaplains, Sterry, Lockyer and Thomas Goodwin,⁵⁴ of whom the last named had been made a Doctor of Divinity by Oxford a fortnight earlier. With such a mass of formal business were mingled petitions of all sorts, visits from delegations and from foreign representatives to pay their respects or to gain the favor of the new master of England,⁵⁵ as the *Instrument of Government* was being printed and distributed to advise the people of the kind of government now set over them.⁵⁶ Among these various matters a committee of the ministers of the French church in London appeared on January 5 to thank him for his encouragement and to pray for his protection, and to them the Protector replied in like vein:

Speech to the Ministers of the French Church of London
January 5, 1654

That he saw we were pleased to take notice of what he had formerly said to us, wherein he had declared his heart to us, and had said it indeed, and did say it still: that we should go on in one⁵⁷ way, and that it should be his joy to see we would do as we had said we should; to live in the love which is in Christ Jesus, and to honour our profession with a holy life (though for his part he knew no other ways but we did so) for whatsoever our profession were, that is that would do it, namely the power of godliness. He did exhort us then to go on in doing so, and promised us his protection, and that he would be ready to serve us. That he did hope that God would grant him the grace to keep his ark in these nations; and desired our prayers for him, that he might improve that authority which the Lord had given him for the good of God's people.⁵⁸

Absorbed in the duties of his office of Protector and commander-in-chief of the army, for a time after the first of January, 1654, Cromwell seldom attended the meetings of the Council. That body besides its advisory functions acted as the legislative department of the new government and submitted to him its ordinances and resolutions. Its powers were limited only by the authority of the Protector, as his power was limited by it, and together they carried on administration in a manner not dissimilar from but with even more authority than that which had been exercised by Charles I and his Council in the period of "personal government" against which they had risen in arms. All matters, small and great, came under their supervision and, among other things, they

⁵⁴ *Sev. Proc.*, Dec. 30.

⁵⁵ *Ibid.*, Jan. 6.

⁵⁶ Repr. in *Perf. Diurn.*, Jan. 2; *Sev. Proc.* Dec. 29-Jan. 5.

⁵⁷ "Our"?

⁵⁸ Lomas-Carlyle, Suppl. 85, from *Clarendon MSS.*, xlvi, 268.

began to frame a series of ordinances which, in some fashion as time went on, carried out the idea long since advanced of a code of law for the nation. As early as January 10, 1654, the Protector approved of some seventeen of these ordinances of the most varied description. They ranged from the constitution of a Committee of Revenue to the continuance of the salary of John Pell as mathematical lecturer at Cambridge; from requiring the detention of all prisoners sentenced by the late Parliament to giving the Committee for Customs the responsibility for the disposition of captives; from appointing four guard ships for Scotland to the examination of Fifth Monarchist preachers for inflammatory utterances.⁵⁹

Among these various matters of business, on that same January 10 a petition from Alexander Jeffries and army officers and a communication from the English agent at Hamburg were referred to the Council by the Protector. At the same time drafts of two letters were presented to him for signature, one to Frederick, Duke of Holstein, to be sent by his agent, Colonel Paul Wirtz,⁶⁰ and one to the Protestant cantons of Switzerland to be sent by their envoy, Johann Jacob Stockar; and with these the Protector assumed another prerogative of royalty — the conduct of foreign affairs — and in what spirit his letters to the Swiss reveal:

To the Evangelical Estates of the Confederation

SERENE HIGHNESSES, VERY WORTHY FRIENDS;

As the noble Herr Johann Jacob Stockar, deputy of your Republic, desires to return home after good and wise fulfilment of his mission and has already received a letter from the Parliament of the English Republic in which is set forth how pleasing and agreeable your favor and solicitude for the peace of our Republic has been, we have considered it fitting on this occasion to make manifest and to declare openly, as we also declare herewith by means of this letter, that we value you and your friendship very highly and hold it in high esteem, and that we also shall be at all times prepared and inclined, for the good and welfare of both republics, to begin and carry on confidential correspondence and friendship with you, and the more so because you show yourselves so brave and honest in the maintenance and defence of religion and liberty. We desire before God the all-highest, that in its maintenance and defence you may ever grow and increase, and that the merciful God will protect and support you, his true knights, under the shelter and shadow of his wings, whose blessed protection we invoke for you and all belonging to you from our heart.

Given in Whitehall
10/20 January, 1654.

Your good friend,
OLIVIER CROMWELL.⁶¹

⁵⁹ *Cal. S. P. Dom.* (1653-4), pp. 344-53.

⁶⁰ *Ibid.*, p. 349; the index erroneously calls the Duke "William."

⁶¹ Translation from the German in J. A. Balthasar, *Helvetia* (1823), i, 588. The signature was almost certainly not that here transcribed by Balthazar, but probably "Oliver P."

Through all of Cromwell's words there ran the strain of deep concern with what was called the "Protestant Interest" in the affairs of Europe. It had infused his negotiations with the agents of Rochelle and Bordeaux and even of Condé. It had been a part of his instructions to the agents he sent into France. It had found expression in many of his public utterances and had in some degree colored his relations with Spain and Portugal. It had perhaps influenced his eagerness to sign a treaty of peace with Holland and had played a part, however insignificant, in the sending of Whitelocke to Sweden. There seems no doubt but that his interest in it was genuine. There seems equally no doubt but that his chief concern was, naturally and properly, the welfare of England and when, as in the case of the Dutch war, there was a conflict between the two principles, religious and economic, the latter triumphed. None the less throughout his whole career he stood as the champion of religious liberty, whatever definition may be given to that elastic term and however bitterly his opponents, whether Catholic, Anglican or Presbyterian, would have denied his professions.

From time to time he was fortunate enough to be able to divorce this ideal from the realities of politics and never more than in the case of the Swiss Protestant cantons. From them he had received an emissary, John Jacob Stockar, come to mediate, if possible, in the Anglo-Dutch quarrel. To him Cromwell had given several audiences and of the latest of those conversations on January 15, 1654, we have a report from Stockar himself which is perhaps the best example of Cromwell's attitude on this question. Though he did not omit a glance at the worldly benefit of friendship between England and the Swiss Protestants, he was free to express himself with no thought of such material complications:

*Speech to J. J. Stockar at his
farewell audience, 15/25 January, 1653-4*

I said to you earlier how pleasing to our Republic your mission to us was, and that the representations and grounds on which your peace with us was proposed, contributed not a little to bring matters as far as they have gone. Thus as we are conscious of our obligation to your noble principals for such expression of friendship, so you may assure them from my own lips that they have no better and sincere friends among the powers and estates in Europe than the English nation. If the Swiss nation will only point out to us by what means we can serve them, they will realize that my words are no empty compliment. We are well aware that God and nature have set you in such regions and places and given you such skill and strength that you yourselves are in a position to defend yourselves against powerful enemies. None the less since we fear, not without reason, that if, as is to be feared, a religious war should break out, you would be the first to endure an attack, so we may easily perceive that we should stand by you and come to your assistance. It is known to me by notification from every side, and especially from my correspondence, that the Pope actually seeks to reconcile Spain and France with each other and to turn

the weapons of both these powers against the evangelical states, and because you live in a land that is first exposed to this bloody design, you may well expect to be the first to await this attack. The enemies from whom you have the most to fear are the united houses of Austria and Spain, and France. To ward off attack from you of all these, we have means and occasion enough, and can put in their way under any circumstances a powerful Halt! If there are known to you any other and better means, let us know in time and do not delay. The first and best means might be for the three republics, Switzerland, England and Holland, to enter into confidential correspondence in order to meet and prevent these and other dangers, to which end we, on our part, are as favorable and ready as our intention in this case is true and upright and our resolution firm to use all means and power which God has given us, in word and deed for the protection of the true evangelical religion and liberty.⁶²

Such, as translated from English into German and from German again into English, was the Protector's statement of foreign policy, the first in such positive form which has survived. In defining it he had the advantage of being able to divorce in large part the ideals from the realities of politics, for it was all but inconceivable that England should come into any such rivalry with Switzerland as that which had brought England and Holland into war. None the less the design of Protestant solidarity was active in each negotiation, nor was it wholly absent from the relations with Sweden.

The idea of the "Protestant Interest" took very different forms, but whether infused with material considerations or free from them, it was apparent that the spirit of Gustavus Adolphus was again making its way in European politics as the dreams of Raleigh were inspiring even greater visions in the extra-European world. The heirs of the Elizabethan sea-kings, the generation which had been bred up on the Spanish Armada, the Gunpowder Plot and the Thirty Years' War, was now taking its place in world politics. In its eyes the wars of religion had not ended with the Peace of Westphalia; the Pope was still the anti-Christ; his machinations the chief danger to European peace; his followers, especially the Jesuits, the chief enemies to be feared. And it may be noted as a curious if unimportant circumstance that the historian of the Jansenists, the so-called "Catholic Puritans" then beginning their long rivalry with the Jesuits in France, seems to have had some relations with the Protector at about this time.⁶³

Even had the Protector's intelligencers informed him of the real position of the Papacy at this moment — its declining political prestige, its decaying revenues, its administrative difficulties, the opposition which it faced within the church establishment — it may be doubted whether

⁶² Balthasar, *Helvetia*, i, 585-6.

⁶³ Observations on Jansenism in *Journal de Deslyons*, Dean of Senlis, in *Documents d'histoire 17-19 centuries*, ii (1911), pp. 55ff.

that would have prevailed against the deep impressions made in his youth. Between Cromwellians and the Church of Rome was a quarrel to the death. Its intensity blinded him to the realities of politics in the years when France, growing in power and ambition, was replacing Spain as England's chief enemy. The triumphs of the Roman church were then being won not on the field of battle and in the closets of diplomats but in the study, the schoolroom and the missionary outposts of the world. Yet in a worldly sense his policy had something to be said for it. England was in no position to challenge France at this moment, nor was there anything to be gained in Europe or overseas by such a conflict. From Spain much could be gained, it seemed, at little risk, and the embers of the old rivalry could be more easily fanned into flame.

Throughout all his negotiations, open and secret, official and unofficial, however, he had been bent on securing toleration for French Protestants and some consideration for the religious convictions of Englishmen in Spain, Portugal and their colonies. He had been no less insistent on full recognition of the revolutionary government by foreign powers. Apart from these aims, he had shown a desire for a foothold on the Continent, though not, at first, for increase of possessions in the extra-European world. On their part, France and Spain had each hesitated to incur the enmity of a party so powerful by land and sea. Each had suffered from internal dissension; each had an interest in what remained to Spain of the Low Countries after the formal recognition of the United Netherlands by the Peace of Westphalia. France was ambitious to extend her northeastern frontier along the border of the Spanish Netherlands or Belgium. Spain was no less anxious to maintain her hold on the rich and prosperous cities which clustered about the lower reaches of the Scheldt; and her ally, Charles of Lorraine, was no less opposed to the extension of French power at his expense. Like Spain, he had supported the Frondeurs in an effort to weaken the authority of the French crown. The United Netherlands opposed Spain and France alike, and they had, besides, to reckon with the now powerful and aggressive English revolutionary government which threatened the life-stream of their commerce. Thus, for the moment at least, the Low Countries became the center of a four-fold rivalry.

It was with this difficult situation that the English revolutionary government had to deal, and its position was complicated by two other elements. The one was that of the powers with which it was now most concerned, four — Spain, France, Portugal and Lorraine — were Catholic. The other was that they had all in one fashion or another sympathized with and in so far as possible had given aid and comfort to the supporters of the English monarchy. Prince Rupert had found refuge in Portuguese and French harbors and sanctuary in France. Charles II and the Royalist exiles had found safety in Holland, France

and the Spanish Netherlands. Charles of Lorraine had even considered using his armies for the rescue of Ireland; and countless refugees from that unfortunate island, from England and from Scotland, had taken service in the armies of all these powers. Among the other causes of war with the United Provinces, not the least had been the assistance they had given to the Royalist party during the civil wars and the protection and sympathy they had afforded the enemies of the English revolutionaries. Unless one reckoned the Protestant elements on the Continent, those revolutionaries, in fact, faced a world of enemies, political and religious, and apart from their armed forces, the "Protestant interest" was the only card which they held in this game of international affairs.

On the other hand, the realities of politics were too powerful for the ideologies, whether religious or political, of all these powers. Philip IV had long since recognized the Commonwealth in an effort to secure aid against the French, and only the high demands of the revolutionary party had prevented a closer connection. Thus far, though Mazarin had encouraged underground relations with that group, he had shrunk from recognizing it formally. But now that it had not only won the civil war but had set up a government which, whatever its origin, seemed tolerably firm and secure, he hastened to make terms with it. On January 3 there arrived in London a special envoy from the Cardinal, Paul de Castelnore, Baron de Baas,⁶⁴ to reinforce the efforts of the ambassador, Bordeaux. He came with a message from Mazarin that an attempt to restore the Stuarts would not meet with favor or support from the French crown. De Baas sought and obtained an interview with the Protector by means of a personal letter from the Cardinal; and though de Baas spoke Latin, it was agreed that each should use his own language and Sir Gilbert Pickering should act as interpreter. The interview was held on January 11 and Thurloe told Whitelocke that the French envoy was well received, though gossip in diplomatic circles was to the effect that the Protector was offended because de Baas had come from the Cardinal not from the King. The new French envoy, accompanied by Bordeaux who came to pay his compliments but not in his diplomatic character, urged the desirability of a full accord between France and England, but he received little satisfaction from Cromwell who declined to enter into any details of negotiation.⁶⁵ On the other hand, the Spanish ambassador, Cardenas, who marked the Protector's coolness toward the Cardinal's messenger, had already written to the Protector on Janu-

⁶⁴ De Baas was a musketeer, tutor to Mazarin's nephew, Philip Mancini, and still more notable as the brother of Dumas' hero, d'Artagnan.

⁶⁵ Jusserand, *Recueil des Instructions*, "Angleterre," i, 172ff.; De Baas to Mazarin, Jan. 3/13, quoted in Gardiner, *Comm. and Prot.*, iii, 113; *Sev. Proc.*, Jan. 5-12; Thurloe to Whitelocke, Feb. 24, *Swedish Embassy*, ii, 58 and Thurloc, ii, 113; *Cal. S. P. Ven.* (1653-4), p. 175.

ary 6 pressing for a treaty, but was given no hope that any arrangement would be entered into with Spain until the Dutch war was ended.⁶⁶

Thus at the outset of his rule the Protector found himself in the enviable if difficult position of being courted by Bordeaux and de Baas for France, Cardenas for Spain and Barrière for Condé, while treating simultaneously with the United Provinces and Sweden, and appealed to by the Swiss cantons. This naturally was highly disturbing to the Royalist exiles on the Continent among whom charges and counter-charges of correspondence with the Protector threatened to disrupt whatever unity the little court of Charles II still possessed. The Catholic Royalist, Sir Kenelm Digby, had been given permission in November, 1653, to return to England, and at Cromwell's command appeared before the Council on January 12, thus rousing suspicions of his loyalty. Hyde found it hard to believe that Digby had been a correspondent of Cromwell,⁶⁷ but there seems no doubt but that he had seen and talked with the Lord General and had even hoped to get some form of toleration for the Catholics. So deep was the distrust among the Royalist exiles, however, that even Hyde was accused by Sir Richard Grenville of treachery toward Charles, who on January 13 brought the whole matter into the open by a "trial" of the Chancellor.⁶⁸ The result was Hyde's triumphant acquittal and the exclusion of Grenville from the court. In itself this matter of intrigue and quarrelling among the members of an impoverished and exiled court is merely a common and insignificant phenomenon of all such bodies, but in this case it has two points of importance. The one is the belief of the followers of Charles II that if the Protector permitted liberty of conscience to all, the recall of the Stuarts might well become impossible, especially if taxes were reduced and at the same time English pride was stirred by an aggressive and successful foreign policy.⁶⁹ The other is that the reorganization of the secret service under Thurloe was beginning to have its effect in rousing suspicion among the Royalist exiles of the loyalty of their own party, a suspicion which time was to more than justify.

These January days were full of business for the new Protector who was called upon, even more than he had been as Lord General, to consider a multitude of problems small and great; and the details of his life at this moment give some indication of the pressure put upon him. On January 11 the Council voted to inform him of a visit from the City authorities to beg the removal of an order of its predecessor for stay of

⁶⁶ *Stowe MSS.* 185, f. 59; Cardenas to Philip, Jan. 9/19, *Simancas MSS.* 2529, cited in Gardiner, *Comm. and Prot.*, iii, 114.

⁶⁷ *Cal. S. P. Dom.* (1653-4), p. 357; Hyde to Clement, Jan. 6/16, 1653-4, Macray, ii, 302.

⁶⁸ Clarendon, *History*, xiv, 73-4; *Cal. S. P. Dom.* (1653-4), pp. 358-9.

⁶⁹ Letter Jan. 14/24, Thurloe, ii, 26.

proceedings against strangers.⁷⁰ The next day it considered the question of punishment of some one in Buckinghamshire who had forged the Protector's signature,⁷¹ which, seemingly unimportant in itself, raised the issue as to whether such an act might be regarded as treason, as it would have been under the monarchy. On the 13th he approved nine orders of the Council, one of them providing for exemption from customs and excise of goods for his own use, and another that he must approve of all exemptions from these duties,⁷² which again involved the question as to whether the Protectorate inherited these prerogatives of kingship. No regular meeting of the Council was held on Saturday the 14th, but the Protector entertained its members privately at the Cockpit,⁷³ and he attended the regular session on the following Monday and ordered Lawrence continued as President of the Council until further notice. It is perhaps indicative of the altered and altering trend of public policy under his direction that at this meeting there was read an order for repealing the Act of Parliament by which two-thirds of the estate of every recusant was forfeited.⁷⁴

In such fashion and by such often apparently trivial means the precedents for the new dignity and policy of the Protector were established. From them he turned in the following week once more to foreign affairs. On that same Monday, Francesco Bernardi, the minister from Genoa, who for more than two years had been unable to secure recognition from Parliament on the alleged ground that his father was an Englishman, was admitted to audience with the Protector to congratulate him.⁷⁵ It was not their first meeting. Soon after his arrival Bernardi had been entertained at dinner by Cromwell, his wife and daughter Bridget. The General had been extraordinarily courteous and promised him an audience with the government. That promise he had been unable to fulfill, ascribing the postponement to the occupation of the officials in settling the government and making no mention of what Bernardi understood to be the real reason for the refusal to receive him — the opposition of Vane and Marten.⁷⁶ Bernardi was followed by the ambassador from Hamburg who paid his respects on the 17th,⁷⁷ and two days later Paulucci was permitted to deliver a letter from the Signory of Venice addressed to "H. H. the Protector" by that enterprising body.

⁷⁰ *Cal. S. P. Dom.* (1653-4), p. 356.

⁷¹ *Sev. Proc.*, Jan. 12-19.

⁷² *Cal. S. P. Dom.* (1653-4), pp. 356, 358.

⁷³ *Sev. Proc.*, Jan. 12-19.

⁷⁴ *Cal. S. P. Dom.* (1653-4), p. 360.

⁷⁵ Paulucci to Sagredo, Jan. 29/Feb. 8, *Cal. S. P. Ven.* (1653-4), p. 180; Bernardi's despatch, Jan. 24/Feb. 3, in *Atti della Soc. Ligure di St. Patria*, xvi, 138-41; Bernardi's congratulations and Cromwell's reply, *ibid.*, pp. 141-2.

⁷⁶ Bernardi's despatch, Nov. 7, 1651, *ibid.*, xvi, 58-60.

⁷⁷ *Perf. Diurn.*, Jan. 17; *Sev. Proc.*, Jan. 12-19.

The Venetian envoy's account of the audience gives a glimpse of Cromwell in his new office which is not without interest. Surrounded by some twenty attendants, the Protector received the envoy standing and uncovered and so remained until Paulucci began to speak. Each time the Signory of Venice was mentioned both bowed ceremoniously. The address which was apparently made in Italian or Latin was translated for the Protector by the Master of Ceremonies, Sir Oliver Fleming. Cromwell listened attentively to Paulucci's assurance of the "extreme satisfaction" of the Signory at the news of his accession to the Protectorate and replied in English in a brief address summarized by Paulucci,

He expressed entire satisfaction with the letter. His Highness thanked the Signory on behalf of the government and would welcome an opportunity to reciprocate, as he knew how ancient were the ties of friendship between England and Venice. He had long considered the most serene republic the strong bulwark against the most potent enemy of the Christian faith. The state might rely upon his doing all that he possibly could in her defence, when she stood a solitary champion against the Turks and their impious projects. If he had the power he would exert himself in so just a cause. He charged me to represent his sentiments.⁷⁸

More important than these formal expressions of esteem is Paulucci's observation that the Protector "looked utterly careworn" with the anxieties of his position. That was to be expected. Not only had Cromwell just gone through the crisis of becoming Protector but fresh responsibilities were laid on his shoulders as the new administration got under way. On the same day as his interview with Paulucci he had another audience with the Spanish ambassador in the Horse Chamber in regard to commercial relations, and the Council moved into the old Council chamber for its meetings.⁷⁹ Thus the Protectorate began its formal functions, and it is evident that Cromwell was not only deeply concerned and deeply interested in this new experience, but rapidly learning how to carry it on.

Meanwhile he and his Council took further steps to secure themselves at home. No such sudden and drastic change in government as that occasioned by the transition from a commonwealth to a protectorate can be made without some alteration in the details of administration and especially without more or less protest on the part of men who had furthered the revolutionary movement only to find themselves under a dictatorship. On the other hand Cromwell had long been in fact what he now became in name, the head of the administration both civil and military, and though some of his former colleagues and followers held back, the great majority of the officers and officials made no open protest,

⁷⁸ Paulucci to Sagredo, Jan. 21/31, *Cal. S. P. Ven.* (1653-4), p. 177.

⁷⁹ *Sev. Proc.*, Jan. 19.

while many of them hastened to give promise of support to the new system and its leader. Some few were irreconcileable. Harrison testified later that he "refused to have compliance with them" in spite of being invited by Cromwell to "sit at my right hand" and such kind expressions,⁸⁰ and was deprived of his commission on December 21 as a result.⁸¹ Ludlow, though he kept his post as lieutenant-general, held up the proclamation of Cromwell as Protector for several weeks and refused to sign it,⁸² and it is probable that many others felt the same disinclination to accept the situation.

Though it would seem natural that there should be an oath of allegiance required of all officers and officials to the new government, there appears to be no record of it save Paulucci's report of a rumor that many of the chief officers had refused to take it.⁸³ On the other hand a proposal made on January 19 to require an Engagement to be faithful to the Commonwealth "without King or House of Lords" was rejected by the Council, Cromwell, no doubt recalling his experience with previous Engagements, declaring that such "general and promissory oaths . . . proved burdens and snares to tender consciences." The Act for subscribing to the earlier Engagement was annulled but on the same day the Council passed an ordinance making it high treason to suggest the death of the Protector or to deny that he and his Council were the supreme authority.⁸⁴ The proclamation of the Protectorate was ordered only in England, and Colonel Lilburne writing from Scotland expressed surprise at this and added that his army was unanimous in its loyalty to Cromwell.⁸⁵ Other similar voluntary submissions came in as letters from magistrates in England and Wales voiced their readiness to proclaim Cromwell as Protector, while on January 17 an address from many officers and soldiers promised obedience, faithfulness and service.⁸⁶ Many of the chief Anabaptists and Ranters were said to have submitted, but many others, like Cromwell's old tormentors, Feake and Powell, proved irreconcileable.⁸⁷ Nor were all men prepared to serve the government, as the case of the shrievalty of Surrey testified. Three weeks before the abdication of the Parliament, one Henry White had been appointed sheriff of that county but refused to serve. Unable to persuade

⁸⁰ *State Trials*, v, 1025.

⁸¹ Thurloe, i, 641.

⁸² Lloyd to Thurloe, Mar. 13, *ibid.*, ii, 163.

⁸³ Paulucci to Sagredo, Jan. 8/18, *Cal. S. P. Ven.* (1653-4), p. 172.

⁸⁴ *Perf. Diurn.*, Jan. 23; *Sev. Proc.*, Jan. 19; *Merc. Pol.*, Jan. 19.

⁸⁵ Jan. 12, Thurloe, ii, 18; and see Lilburne's letter to Cromwell of Dec. 20 in Firth, *Scotland and the Commonwealth*, p. 301.

⁸⁶ To H. H. the Lord Protector . . . the humble addresses of the officers . . . In *Perf. Diurn.*, Jan. 18; *Sev. Proc.*, Jan. 17.

⁸⁷ Thurloe, ii, 19; Paulucci to Sagredo, Jan. 29/Febr. 8, *Cal. S. P. Ven.* (1653-4), p. 179.

him to take office, the former sheriff, Knipe, petitioned Cromwell, who authorized the Attorney-General, Prideaux, to prosecute White. Though Prideaux found no legal precedent for such an action, the Council, petitioned again by both Knipe and White, ordered the prosecution to proceed.⁸⁸

Whether or not White's unwillingness to serve was at bottom due to his dislike of the government, it is evident that Cromwell's administration was prepared to go to extreme lengths to enforce its authority. Under the stress of the rapid developments of the preceding weeks it would seem natural to have a certain amount of confusion and hesitation among those at the head of affairs as well as in the country at large, but there is no evidence of either confusion or hesitation among the higher authorities, nor is that, perhaps, surprising. They were a small body; they had laid their plans with care and carried them out with promptness and determination; and they had a directing head in an able and accomplished politician and administrator who had sufficient force at his command to overawe or even overpower any resistance. Nor did the transition from a pseudo-commonwealth to a protectorate involve more than that from a monarchy which had long since ceased to function to a so-called commonwealth. In each case the same men, or nearly the same men, went on governing as before, whatever the alteration in terminology. Some changes were, indeed, necessary. As early as January 8 the Council had begun to consider the matter of the household or "court" of the Protector and to make other provision for changes in officers and officials appropriate to the new system while a flood of requests poured in on the Protector from "oppressed" people who sought relief through his "providence,"⁸⁹ as one of the evidences of his new position.

To these problems, in the midst of the routine of regular business and the demands of war and diplomacy, the Protector as well as his Council found it necessary to address himself. On January 20, Lislebone Long and John Sadler, judges of the Admiralty Court, were appointed Masters of Requests to supervise the matter of petitions to the Protector.⁹⁰ On that same day Sir Anthony Ashley Cooper brought to his attention the proposal of the London merchant, Henry Robinson, comptroller for the sale of royal lands, for the establishment of a bank;⁹¹ and on January 23 his Highness attended a Council meeting, possibly to discuss the scheme, for on that day a committee was appointed to consider the matter.⁹²

In addition the Council took up other problems in connection with the

⁸⁸ *Cal. S. P. Dom.* (1653-4), pp. 364, 372, 400.

⁸⁹ *Sev. Proc.*, Jan. 5-12, 12-19.

⁹⁰ *Ibid.*, Jan. 5-12; *Perf. Diurn.* Jan. 17.

⁹¹ *Cal. S. P. Dom.* (1653-4), p. 365.

⁹² *Ibid.*, pp. xxxviii, 366; *Sev. Proc.*, Jan. 23.

setting-up of the new administration. An ordinance for appointing new Treasurers-at-War and a committee for the army was ordered to be drawn;⁹³ writs for the proclamation of the treason ordinance were ordered sent to the sheriffs; the ordinance for the union of England and Scotland was presented to the Protector;⁹⁴ and a committee of the Council was ordered to meet with the representatives of the Adventurers for Irish lands at the Cockpit. This last was naturally of much personal interest to the Protector and the matter was pushed forward with all expedition. The lots for determining the county in which each Adventurer's land was to be located were drawn on January 24, and those for determining the baronies on February 9,⁹⁵ and with this the "Cromwellian settlement" of Ireland advanced another step.

Besides four orders of the Council which the Lord President Lawrence presented to the Protector on January 20 for his signature,⁹⁶ Cromwell gave his assent to other orders on the 23rd and signed the first of several ordinances for the appointment of serjeants-at-law, in this case for Richard Pepys, Thomas Fletcher and Matthew Hale.⁹⁷ In such appointments he revealed great wisdom, even his bitterest critic, Heath, admitting that he "supplied the Benches of the Courts at Westminster with the ablest of lawyers."⁹⁸ And it may be noted that in these appointments he crossed political lines, for Hale was a Presbyterian and at heart a Royalist, though like most men of his profession he had subscribed to the Engagement to support the Commonwealth. It has been said that two of the twelve judges sitting at the beginning of the Protectorate were not retained on account of their unfairness in the case of prisoners who had served the King,⁹⁹ but whether or not they were dismissed in order to conciliate the Royalists, the place of one of them, Puleston, who had tried Colonel John Morris who had so bravely defended Pontefract Castle, was filled by the appointment of Hale.¹⁰⁰

⁹³ Passed Feb. 1. Whitelocke, p. 581; *Perf. Diurn.*, Feb. 1.

⁹⁴ Lilburne's letters to Cromwell, proposing that the Act of Union be accompanied by an Act of Oblivion removing sequestration from all but five or six chief offenders, and advising less rigor in collecting debts than was practiced by the new courts in Scotland, are in Firth, *Scotland and the Commonwealth*, pp. 289, 295. On Feb. 16 a report by Lambert on the ordinance of grace for Scotland was amended, agreed upon and ordered to be presented to Cromwell (*Cal. S. P. Dom. (1653-4)*, p. 404); see April 12, 1654.

⁹⁵ Dunlop, *Ireland under the Commonwealth*, ii, 404; *Cal. S. P. Dom. (1653-4)*, pp. 365-6. See *Perf. Diurn.*, Jan. 25, 26, Feb. 13-19 [20].

⁹⁶ *Cal. S. P. Dom. (1653-4)*, p. 365.

⁹⁷ *Parl. Hist.*, xxi, 222; *Cal. S. P. Dom. (1653-4)*, p. 363; Heath, *Chronicle*, p. 400.

⁹⁸ *Ibid.*, p. 357.

⁹⁹ Gardiner, *Comm. and Prot.*, iii, 15.

¹⁰⁰ Chief Baron Wilde was the second and his place was not filled. See White-locke, *Swedish Embassy*, ii, 418-9, on Cromwell's dislike of Wilde.

That eminent jurist was reluctant to accept the office, and, according to report, the Protector himself went to Hale's chambers to persuade him to accept, and Hale still refusing, asked the reason. Protesting his scruples as to the authority from which his commission would be derived, Cromwell, according to the picturesque story, declared that "he did not come to dispute with him about his authority, he had got the power, and he was resolved to keep it, but he was resolved also to exercise it well if he could, and to distribute justice to the people, and if you, Sir," he added, "and such men as you, will not suffer me to govern by Red Gowns [of the judges], I must and will govern by Red Cloaks [of the soldiers]. Upon which Hale accepted the office . . . with some restrictions however as to his sitting upon criminal cases, which Cromwell gave in to."¹⁰¹

Whatever the accuracy of the detail of this story, no Cromwell anecdote better expresses the attitude of the Protector toward his position. He preferred to rule legally, but, legally or illegally, he proposed to rule the English people for what he conceived to be their best interest, both at home and abroad. In this resolution he was supported by the army and by the group of officials about him, and for the moment Great Britain and Ireland were in much the same position as they had been under the personal government of Charles I, at least in domestic concerns, save that now they were in the hands of a military dictatorship supported by forces which would have made such events as the Bishops' War and the Irish rebellion virtually impossible. Those forces, as well, gave England a position in European affairs unknown since the time of Elizabeth, and whatever hatred of the Protectorate there was in the minds of many of its subjects, it was tempered by pride in the new position of their country in its foreign relations. From being ignored or despised by continental powers, it was now being courted by them. It had waged successful war against its only great rival on the sea; its friendship was being sought not only by Protestant states like Sweden and Switzerland but by the two most powerful Catholic monarchies of western Europe; and the Dutch were all but begging for peace.

Of this there was every indication at this moment. News from the Low Countries of a French plot to seize fortresses in Artois brought the Spanish ambassador, Cardenas, hurrying to an audience with Cromwell on January 21, and it was reported at the same time that the Dutch expected an early settlement of their dispute with England.¹⁰² The proposed terms were still little understood in the Netherlands. The Dutch envoys had submitted to their superiors the Protector's peace proposals,

¹⁰¹ Account of the Onslow family, pr. in *Hist. MSS. Comm. Rept.* 14, App. IX, p. 479 (*Onslow MSS.*). See S. Lysons, *Environs of London* (1795), v, 115, for a variant of this story.

¹⁰² Paulucci to Sagredo, Jan. 21/31, *Cal. S. P. Ven.* (1653-4), p. 178.

but they had omitted any mention of the demand for a secret article excluding the House of Orange. None the less rumors of some under-handed, secret arrangement with England were persistent. Beverning, it appears, had foolishly confided to the French minister, Bordeaux, something of his private understanding with Cromwell. Bordeaux had betrayed the matter to Jongestal; and it may be that the latter, who represented the Orange interest, was the source of the rumors.¹⁰³

The whole situation of this secret negotiation was, in fact, complicated by the circumstance that the Dutch envoys, like the nation which they represented, were divided in their sympathies. Like de Witt and the Hollanders in general, Beverning was not a follower of the house of Orange to which Jongestal's province of Friesland was devotedly attached. Their position was made still more difficult by the fact that the Orange party had strongly sympathized with the Stuart cause, which to de Witt and his Holland republicans seemed insufficient grounds to delay a peace settlement. The whole matter, therefore, was of the utmost delicacy, especially since only de Witt was fully advised of the exact status of the understanding between Beverning and Cromwell, and he dared not inform even the States of Holland, much less those of the other provinces, of the proposed exclusion of the house of Orange by Holland alone. None the less, despite all this secrecy, the rumors spread until it was proposed that the deputies be questioned under oath, and to avoid that inquiry, which would have been fatal to de Witt's plans, Beverning slipped out of the Hague and hastened back to London with no instructions and even without authority to recognize the Protectorate.

His disappearance only served to increase the suspicion that de Witt and his province of Holland were acting in bad faith toward the rest of the country, but the astute Pensionary soothed the representatives of the other provinces by assuring them that Beverning had gone back merely to keep the negotiations alive, and addressed all his arts of persuasion and management to gaining the acceptance of the remaining articles of the treaty by the other provinces. At the same time he realized that Beverning would meet with no favorable reception from the new English government when the Protector discovered that the Dutch envoy had only the support of Holland in his address of compliment to Cromwell on his inauguration, but no instructions to recognize the Protectoral government. That government, thanks to its efficient intelligence service, knew of this slight even before the deputy reached London on January 25, and though de Witt had tried to conciliate Oliver by suppressing an anti-Cromwellian pamphlet called *Protector Weerwolf* and paying the arrears due Oliver's cousin, Colonel Cromwell, Beverning was refused an audience. All that was left for him to do was to wait and hope for a

¹⁰³ Geddes, *De Witt*, pp. 337-8, from Bordeaux's letters.

formal recognition of the Protectorate, and for this he appealed to his government at once.¹⁰⁴

Thus in spite of his elevation to supreme authority and the desire of the Continental powers for the support of his armed forces by land and sea, the Protector found himself confronted with the problem which all such revolutionary governments have to face — the reluctance of other and more legal powers to give it recognition. He and his councillors felt this keenly, the more so in that Mazarin's envoy, de Baas, who left the day after Beverning arrived, had offered the Protector congratulations from the Cardinal but not from Louis XIV. It was even reported that the Council had remonstrated with the Protector for receiving the envoy of the King's servant when he was not recognized by the King.¹⁰⁵ None the less, negotiations with Mazarin went on. De Baas had brought an appeal for friendly relations between the two countries, and he seems to have carried back some kind of a counter-proposal, probably a demand for a guarantee of good treatment for the Huguenots and a cessation of attacks on English commerce.¹⁰⁶ He carried with him, as well, another letter of compliment from the Protector to the Cardinal, who, with all their differences, had a certain kinship of circumstance and spirit and a certain likeness of aim and purpose however antagonistic:

To Cardinal Mazarin

MY LORD,

Monsieur de Baas hath delivered me the letter which your Eminency hath been pleased to write to me; and also communicated by word of mouth your particular affections and good disposition towards me, and the affairs of these Nations as now constituted. Which I esteem a very great honour; and hold myself obliged, upon the return of this Gentleman to you, to send my thanks to your Eminency for so singular a favour; my just resentment whereof I shall upon all occasions really demonstrate; and be ready to express the great value I have of your person and merits, as your affairs and interest shall require from,

Your very affectionate friend to serve you,

Whitehall,

26th January 1653.

OLIVER P.¹⁰⁷

¹⁰⁴ *Verbael*, p. 294; Geddes, *De Witt*, pp. 341-4. *Sev. Proc.*, Jan. 26, says that Beverning was with Cromwell at 9 P.M., but this is a mistake. He had audience only with Thurloe; Thurloe, ii, 54, 75.

¹⁰⁵ *Cal. S. P. Ven.* (1653-4), p. 183.

¹⁰⁶ Gardiner, *Comm. and Prot.*, iii, 114, 117, from Bordeaux to Brienne, Jan. 26/Feb. 5, and de Baas's despatch, Apr. 20/30.

¹⁰⁷ Original in Archives du Ministère des Affaires Étrangères, vol. 61, f. 129; cal. in Baschet's Report on Documents in French Archives, in *36th Rept. Deputy Keeper of Pub. Records*, App. I, p. 244. Pr. in Lomas-Carlyle, App. 27(5); also in *Archaeologia*, xxxii, 28-9.

In no respect were the problems of Cromwell and Mazarin more alike than in the fact that each of them, while conducting the affairs of their respective states, faced bitter opposition at home as well as abroad. Each still negotiated with rebellious elements in the other's country, and even at this moment Charles II and his court, resident in Paris and St. Germain, were living in part on a pension from the French government. Thence Charles had taken an interest, if not a part, in the movements throughout the British Isles against the revolutionary government. Most recently he had commissioned William Cunningham, Lord Glencairn, to command a force in Scotland, and in August 1653 Glencairn had appeared in the west Highlands to emulate the exploits of Montrose. Like Montrose, Glencairn was joined by various chiefs of the Highland clans, who were irritated by the severe regulations of the government, but unaccustomed to obedience and discipline, and whose poorly-armed followers were no match for the Parliamentary army. None the less, Lilburne had not been able to suppress them and regiment after regiment was sent to keep them in check, with a steady flow of supplies, the quantity of which, as evidenced by one of the Protector's warrants which has survived, indicates the drain of this new menace on the resources of the government:

To the Officers of the Ordnance and Army at the Tower

You are forthwith upon receipt hereof out of the stores remaining in your custody in the Tower of London to deliver unto Commissary Fowler the particulars hereafter mentioned which are to be sent into Scotland for the use of the Army there, vizt.: One thousand headpieces, one thousand belts and suivells for carabines, carbine shot three ton, flat iron two tuns, pickaxes five hundred, suffells and spades one thousand, bills, axes and hatchets of each two hundred; and for so doing this together with the receipt of the said Commissary Fowler shall be your warrant and discharge.

Given under my hand the 27th of January 1653.

OLIVER P.¹⁰⁸

Of all this, as well as of the activities of the Royalists on the Continent, Thurloe's intelligence service kept the Protector's government well advised. His agents reported that while the English and Irish abroad were not greatly displeased with Cromwell's new title, the Scotch in Ratisbon were "mad at it, cursing, swearing and threatening."¹⁰⁹ That was of small avail to the exiled king and his impecunious court. Charles, unable to take service in the French army as his brother James had done and unwilling to expose himself again to the loyal but somewhat less than tender care of the Scots, could do nothing but follow the advice of Hyde and Ormonde and keep quiet until the English revolutionary storm blew

¹⁰⁸ Original, endorsed H. Bosworth, in *Rawl. MSS.*, D 395, f. 83.

¹⁰⁹ Thurloe, ii, 53.

over. By the death of William II of Orange he had lost his best friend on the Continent. The existing government of the United Provinces, though at war with England, refused him any encouragement; and his diplomatic envoys received little hope and less support from the princes to whom they applied for aid. From the Stuart family, at least, the Protectorate had virtually nothing to fear, and it is perhaps symbolic of the little danger which it faced even from the rebellious Highlanders at this moment that the only other document of these days when Glencairn was mustering his forces is one which arises from one of the oldest concerns in Cromwell's life, the drainage of the fens, in regard to which he received two petitions at this time. One was from Sir William Killigrew and other adventurers in the level between Bourne, Boston and Lincoln, which the Protector recommended to the Council. The other was from the Corporation of King's Lynn, which regarded the drainage project in that region prejudicial to navigation at that port. Nothing seems to have come of either petition save a polite acknowledgment of the latter:

To the Mayor and Aldermen of Lynn Regis

GENTLEMEN:

I received yours; and cannot but let you know the good resentments I have of your respects; assuring you that I shall be always ready to manifest a tender love and care of you and your welfare, and in particular of that concernment of yours relating to navigation. Commending you to the grace of God, I remain,

Whitehall,
30th January 1653.

Your loving friend,
OLIVER P.¹¹⁰

It is a characteristic of the history of even the most disturbed of periods that its most important events often find so little reflection in its administrative records. In these first days of the Protectorate when the men at the head of affairs, Cromwell in particular, were confronted on every side by problems of great consequence and compelled to make far-reaching decisions, the record of their activities as expressed in the minutes of the Council and their own papers seldom indicates the importance of their actions and their plans, save by obscure and indirect reference. It was so at this critical moment in the history of Ireland. In general it was reported that the change in the English government was acceptable to the army there, as it was everywhere to soldiers who perceived in the elevation of their General an opportunity for recognition of their claims

¹¹⁰ Lomas-Carlyle, App. 27(6), from *History of the Ancient and Present State of the Navigation of the Port of King's Lynn and of Cambridge* (London, 1766), p. 55. The author continues: "But I suppose nothing was done for Aug. 29, 1654, it was ordered at a congregation then held in the Guildhall, Lynn Regis, that Mr. Recorder be desired to draw up a petition to the next Parliament for redress of the prejudices done to their navigation by the fen-drainers."

denied them by Parliament. But in Ireland as elsewhere, it found some in high position bitterly opposed to the substitution of a military dictatorship, however efficient, for a parliamentary system, however inept. The Irish Commissioners were especially disinclined to proclaim the new government. Three times the Mayor and aldermen of Dublin asked for permission to proclaim the Protector, predicting a mutiny if their request were refused. The proclamation of the Protectorate, however, was delayed from week to week because Ludlow refused to agree, declaring that he would rather cut off his hand than sign it. In the end, the other Commissioners blotted out their signatures and the proclamation was issued on January 30 only in the name of their secretary, "Jo. Hughes."¹¹¹

This situation, together with the problem of the Irish lands then in the process of being allotted in London and the still greater problem of clearing the land of the opponents of parliamentary rule, whether reputable landowners or disreputable vagrants, disturbed the Protector's Council to such an extent that on January 26 they suggested somewhat ironically a "public signification to the Commissioners in Ireland of the late change in government," and a committee was sent to the Protector to discuss the Irish problem.¹¹² In this, both as a public official and as an Irish Adventurer, Cromwell was naturally interested, and to him, as to his colleagues, one of the first matters to be disposed of was that of the vagrants and "Tories" whose numbers had been greatly increased by the late war and whose activities contributed greatly to the disorder in the island. For the elimination of these the Protector proposed two plans, expressed in the letters he wrote at this time, one to Fleetwood suggesting the transportation of 400 "Tories" to the "Caribbee Islands" by merchants of Bristol; the other in regard to the raising of a regiment of Irish foot by some now unknown projector for "the service of foreign princes not enemies to this Commonwealth." In such fashion, while the sequestered lands were being divided up among the Adventurers and "allotments" made in Connaught for the dispossessed of the five counties, there was continued that policy of depopulating Ireland which, the Puritan leaders hoped, would lead to its resettlement by their own party, much in the fashion of New England:

To Charles Fleetwood, Lord Deputy of Ireland

Some merchants of the city of Bristol having petitioned to me for licence to transport 400 of the Irish Tories, and such other idle and vagrant persons as may be thought fittest to be spared out of Ireland, for planting of the Caribbee Islands, which address of theirs I do recommend to your consideration that

¹¹¹ Thurloe, ii, 163; Ludlow, *Memoirs*, i, 542-3. Proclamation in *Merc. Pol.*, Feb. 23-Mar. 2.

¹¹² *Cal. S. P. Dom.* (1653-4), p. 369.

their desire therein may be granted in such a way as to you shall seem fit and expedient.

Whitehall, Jan. 30, 1653-4.¹¹³

To the Commissioners of Ireland

GENTLEMEN,

There hath been an address made unto us, on behalf of the bearer hereof, . . . who hath a regiment of Irish foot in Flanders, desiring that he may have liberty to raise some men in Ireland, and transport them into the service of foreign princes, not enemies to this commonwealth: which request we have thought fit to grant; and do therefore recommend it unto you, to give to him, and to such as shall be employed under him for levying the said men, and also to those that shall undertake the transportation of them, such assistance as shall be requisite for the effecting thereof. For your fuller direction wherein, (as well in relation to the qualifications of the persons to be raised and transported, as to the terms and conditions) you are to have recourse to and observe what hath been heretofore usually granted in like cases; leaving it unto you notwithstanding to alter them, if you find it necessary, and to give such orders and directions as to the manner of raising, marching, and transporting of them, as you shall judge most convenient and suitable to the state of affairs there.

Whitehall, February 1653-4.

Your loving friend.¹¹⁴

While the English forces in Scotland were being reinforced against Glencairn and the Irish irreconcileables were being removed from active service against their conquerors, steps were taken against the opponents of the new régime in England itself, and among the other demands on his time and energy, the Protector had to deal with this challenge to his authority. It was reported that on January 25 he and his Council sat until late at night discussing the cases of certain individuals apprehended for treasonable words or acts.¹¹⁵ Of his principal opponents, Vavasour Powell had escaped his arrest, which was ordered on January 10, by taking refuge in Wales, where he had busied himself with getting signatures to a petition against Cromwell's "usurpation." On January 28 it was decided that the other Fifth Monarchist agitators, Feake and Simpson, should be imprisoned in Windsor Castle for defying the Treason Ordinance, but the death penalty which it provided was not invoked against them. The chief figure in their party, Harrison, who had re-

¹¹³ This portion of the letter is pr. in Dunlop, *Ireland under the Commonwealth*, ii, 400-401, from the Irish Records, A/28, 26, f. 28. A Dublin dispatch of March 18 reported 1200 Tories shipped and 1700 "ready for transportation which renders the whole nation more free, than in times of the greatest peace this land hath enjoyed." *Perf. Diurn.*, Mar. 27-Apr. 3.

¹¹⁴ Thurloe, ii, 63-4. This was very possibly a form letter, of which only this copy seems to have survived, and of which others were issued from time to time as the occasion arose.

¹¹⁵ *Sev. Proc.*, Jan. 19-26.

fused to recognize the Protector and had been deprived of his commission, was merely ordered to retire to his father's house in Staffordshire by February 13 and though kept under observation was not otherwise punished.¹¹⁶

It was apparent that, whatever else the Protector was, he was not a "man of blood" and the abolition of the Engagement and his relative clemency undoubtedly did much to win over many of his opponents to a somewhat grudging approval. It inspired some to seek requests for pardon, among them the Oriental scholar and minister, Jeremiah Whitaker, almost the only member of Sidney Sussex College at the time of Cromwell's residence there who played any part in his later life. He took this occasion to send the Protector a book¹¹⁷ which undertook to prove that the ministry was an invention not of man but of Christ, and ended his letter with a plea that Thomas Cawton, who had been associated with Christopher Love in the Presbyterian plot three years before, be permitted to return from his exile in Holland, where he was the pastor of the English church in Rotterdam and had gained some eminence as a scholar.¹¹⁸ The plea, however, does not seem to have been successful or Cawton declined to return, for he soon died in exile.

The last days of January, 1654, were full of more or less routine business in connection with the establishment of the new administration. On the 28th the Protector attended a meeting of the Council, assenting to several of its orders including an ordinance empowering the Commissioners of the Customs to pay £10,670 to the East India Company, whose business had been greatly interfered with by the Dutch war. At the same time a committee was appointed, apparently with Cromwell's approval, to consider lifting the restraint on the importing of French wines and the regulation of their price and quality,¹¹⁹ which again took the Council into the realms of war and diplomacy. To these matters was added the problem of regulation or reform of laws, especially that of Chancery jurisdiction which had so disturbed the late Nominated Parliament.¹²⁰ This was aided, if not inspired by a petition from the Admiralty Judge John Godolphin and ten other doctors of civil law, promising to be faithful to the new government; expressing the hope that their profession would be useful to the nation; and begging that it should not be

¹¹⁶ *Cal. S. P. Dom.* (1653-4), pp. 371, 386-7; Thurloe, ii, 44, 73, 116. The Council offered the Protector a suggestion as to Harrison but he referred it back to them. Beverning reported on Feb. 3 that Oliver was working hard to settle church matters, that bishops, Anabaptists, Independents and Presbyterians were all to be tolerated, providing they tolerated each other. Thurloe, ii, 67.

¹¹⁷ Probably *Ius Divinum Ministerii Evangelici*, as Firth suggests (*Eng. Hist. Rev.*, xxii (1907), 308).

¹¹⁸ Letter in *ibid.*, pp. 309-10.

¹¹⁹ *Cal. S. P. Dom.* (1653-4), p. 371.

¹²⁰ *Sev. Proc.*, Jan. 28.

discouraged, — a petition which, among other things, brought Godolphin an appointment as judge of the Admiralty within six months.¹²¹

Such was the fashion in which the Protector spent his time in these first days of his new dignity. That dignity was meanwhile recognized by various bodies in various ways. On January 27 and again on January 31, he received aldermen from London¹²² who invited him to a City dinner, which he agreed to attend on February 8 as the first formal recognition of his position by the City. On February 1 the Council appointed a committee to assign a "settled revenue" for the Protectoral household and to confer with him about a convenient way to have warrants signed for the appropriation of money,¹²³ and the surveyor, John Embree, was allowed £1,500 for the repairs made on Whitehall in the preceding months.¹²⁴ On the next day he attended the meeting of the Council when it was decided to add Colonel Mackworth, then governor of Shrewsbury, to its membership.¹²⁵ These matters were accompanied by others of more or less consequence — a petition from Alexander Jaffray and others to his Highness in regard to their obligation to pay £9,000 to certain Scotch merchants in Holland; the voting of back pay to some non-commissioned officers in Cromwell's regiment; a letter from one Robert Turner to the Protector which was referred to Goffe and Whalley; and a petition from Dr. John Bastwick, Prynne's fellow-sufferer in 1640, which was laid aside until the next day.¹²⁶

Among this mass of insignificant detail one item was of more importance. It was a petition from the residents of the Inner and Middle Temple for exemption of an assessment of £100 a month, which on February 3 was referred to the Council by him. It set forth that they were exempt by long custom from taxation and that such a measure would tend to discourage the gentry from sending their sons to study law. The petition was referred to the Council, which granted it, and the Protector ordered the discontinuance of the tax.¹²⁷ And, as another indication of how business was transacted and how the Protector spent most of his time, on that same February 3 he approved eleven orders of the Council after they had been read to him by the clerk, Jessop, in Lambert's presence,¹²⁸ and set his signature to a warrant for the payment of officials, which had been compiled from a list presented to the Council by Thurloe and which gives some insight into the conduct and cost of the inner administrative circle at this moment.

¹²¹ *Cal. S. P. Dom.* (1653-4), p. 380.

¹²² *Sev. Proc.*, Jan. 27, Feb. 1; *Perf. Diurn.*, Feb. 1.

¹²³ *Cal. S. P. Dom.* (1653-4), p. 381.

¹²⁴ *Ibid.*, p. 383.

¹²⁵ He took the oath on Feb. 7 (*ibid.*, p. 391).

¹²⁶ *Ibid.*, pp. 353, 382, 391; *Merc. Pol.*, Feb. 9. Bastwick was voted £200.

¹²⁷ *S. P. Dom. Interr.* lxvi, 5, in Inderwick, *Inner Temple Records*, ii (L., 1898), 370-2; *Cal. S. P. Dom.* (1653-4), pp. 383-4.

¹²⁸ *Ibid.*, p. 386.

*Warrant*¹²⁹

3 Feb. 1653 [-4]

OLIVER P.

These are to will and require you, out of such moneys as are or shall come to your hands for the use of the Council, to pay to the several persons on the other side endorsed the several sums to their names mentioned, making in all the sum of £1078 12s. 1d.; being so much due unto them on the first of January last included for their several salaries: of which you are not to fail, and for which this shall be your warrant. Given at Whitehall this 3rd of Febr. 1653.

To Mr. Gualter Frost.

| | | | |
|--|-------|----|---|
| Mr. Secretary Thurloe, for one quarter from the 2nd Oct. to the 1st of Jan. last included | £200 | 0 | 0 |
| Mr. Jessop, 17th Oct. to the 1st of Jan. included: 77 days | 77 | 0 | 0 |
| Mr. Gualter Frost, as Secretary Assistant to the late Council of State for the same time to the 12th of Dec.: 71 days | 71 | 0 | 0 |
| Mr. John Milton, for half a year from the 4th of July to the 1st of Jan. last included: at 15s. 10½d. <i>per diem</i> | 144 | 9 | 3 |
| Mr. Philip Meadows, for one quarter from the 2nd of Oct. to the 1st of Jan. | 50 | 0 | 0 |
| Joseph Frost, John Frost, Matthew Lea, Thomas Lea, Isaac Ewers, John Lennard, John Babington, John Ray- mond: Clerks for dispatch of the Council's business, at 6s. 8d. <i>per diem</i> , for one quarter ending 1st of Jan. | 242 | 13 | 4 |
| Joseph Butler, Thomas Pidcock, John Priestley, Richard Freeman, Henry Symball, Daniel Potter, Geo. Hussey, Rowland Fawkard, Roger Reed, Thomas Bulmer, Ed- ward Osbalston, Edward Fleetwood: messengers to the late Council, at 5s. <i>per diem</i> , for one quarter ending 1st Jan. inst. | 273 | 0 | 0 |
| Henry Giffard, for keeping the Treasury Room to the Council, at 2s. 6d. <i>per diem</i> , for the time above-said | 11 | 7 | 6 |
| Robert Stebbin, for making fires and keeping the door leading to the Secretary's Office, at 2s. <i>per diem</i> , for the time above-said | 9 | 2 | 0 |
| | £1078 | 12 | 1 |

In themselves such minutiae of the everyday life of a ruler as Cromwell may seem to have little bearing on the great problems of domestic and foreign policy to which a man in his position is supposed to devote all his time and energy. Yet it is the characteristic of the Protector that a great part of his time and energy was, in fact, spent on just such

¹²⁹ From the *Money Warrant Books* of the Council. Pr. in David Masson, *Life of John Milton*, iv (L., 1877), 577-8. This was the first warrant which Mr. Gualter Frost received in his capacity of Treasurer for the Council's Contingencies. It is for the discharge of all arrears of salary and wages due to any persons on the establishment before the Protectorate.

matters, that he had at his finger-ends at all times that intimate knowledge of the details of administration which, in connection with the extraordinary intelligence service devised by Thurloe, enabled him to direct affairs as few administrators have done at any time. Probably few if any English kings have so concerned themselves with such minutiae, as few if any have exercised the power which Cromwell wielded. It is small wonder that all who saw him in the days of the Protectorate spoke of his weary and careworn appearance, for there was probably no man in England who was as hard worked as its ruler, particularly since there were mingled with these administrative details matters of high concern in foreign as in domestic policy.

Of this there was at this moment a striking instance, for on the same day as these administrative activities, he despatched to Whitelocke a letter concerning the negotiation with Sweden which he took care to point out could not be affected adversely by any arrangement into which he proposed to enter with the United Provinces:

For the Lord Ambassadour Whitelocke

MY LORD,

I have a good while since received your letters sent by the ship that transported you to Gothenbergh, and three other dispatches since. By that of the 30th of December, and that of the 4th instant, I have received a particular account of what passed att your first audience, and what other proceedings have bin uppon your negotiation; which, so farre as they have bin communicated to me, I doe well approve of, as having bin managed by you with care and prudence. You will understand by Mr. Secretary Thurloe in what condition the treaty with the United Provinces is, in case it shall please God, that a peace be made with them, which a little time will show; yett I see no reason to be diverted therby from the former intentions of entring into an alliance with Sweden, nor that there will be anything in the league, intended with the low countryes, repugnant therunto, especially in things wherin you are already instructed fully: and for the matter of your third and fourth private instructions, if the queen hath any mind thereto, upon your transmitting particulars hither, such consideration will be had therof, as the then constitution of affayres will leade unto; in the mean time, you may assure the queen of the constancy and reality of my intentions to settle a firme alliance with her. I commend you to the goodness of God.

Whitehall, 3rd Feb.

1653.

Your loving friend,

OLIVER P.¹³⁰

¹³⁰ Pr. in Whitelocke, *Swedish Embassy*, i, 471-2. In the course of one of the tête-à-têtes in December between Christina and Whitelocke, the latter told the Queen that he had made up a small quantity of two liquids just before setting out on his journey, leaving half of each with Cromwell and bringing the rest with him. The purpose was to permit an exchange of letters without fear of their being read by anyone else, for when a letter was written in one it could be made legible only by using the other liquid. *Ibid.*, pp. 277-8.

These, then, are the details of the establishment of the Protectorate of Oliver Cromwell. Great and small, significant and insignificant, they all went to the formation of a new system of government for the British Isles and its entry into the field of European politics. At this distance, with its details obscured by the dust of years, the transition from monarchy to Protectorate seems a sudden and startling revolution in English affairs. Yet viewed more closely, the transition from Commonwealth to Protectorate, like that from monarchy to Commonwealth, seems neither as sudden nor as spectacular as it appears to-day. Unlike revolutions in later years and other countries, when monarchy was replaced by republic and new men with new methods, new titles, and small experience or none in administration were thrust into posts and responsibilities for which they had little experience and of which they had less knowledge, in this transition from Commonwealth to Protectorate, the same men continued in the management of affairs to which they had been long accustomed, with small change in titles or duties.

Of none was this truer than of Cromwell himself. Little was changed save his title by this last step in his long progress from obscurity to power. Unlike many who have achieved such eminence, he had reached his position not by a sudden stroke but by a long, slow, toilsome and painful ascent, step by step, from lowest to highest. No man in England had a greater and more varied public experience than he. No man had held so many offices, civil and military. No man was more familiar with the details of administration in both fields; and probably no man had wider acquaintance not only with the people but with the territory of the British Isles. If such qualifications, joined to natural gifts, go to make up a ruler, he was a "natural king." As Marvell was presently to write of him,

He seems a king by long succession born
.....
Abroad he seems a king and something more
At home a subject on the equal floor.¹³¹

Or, as the inscription of his portrait sent to the Queen of Sweden phrases the same idea:

Thro' Fate's untrodden Paths I move, my Hands
Still act my freeborn Peoples' bold Commands.¹³²

Yet though few questioned the fact that, under the circumstances, he was the man in all the British Isles best fitted for the headship of the state by virtue of his qualities and experience, the problem none the less

¹³¹ Marvell, *First Anniversary of the Government under H. H. the Lord Protector.*

¹³² To Queen Christina, ascribed both to Milton and Marvell.

remained — what was his title to that place? Without inheritance or election, what law, human or divine, save the natural law of the strongest, could be adduced to justify his ascendancy? Even the poetical talents of his eulogists were unable to bridge the gap between the fact and the theory of his position in the state. From beginning to end this made his position anomalous in theory and difficult in fact. It lay at the root of most of his troubles. It hampered his relations with foreign powers; it was openly raised in England. He was, it is true, the *de facto* head of the state, but it was beyond the ingenuity of even his most devoted followers to evolve a constitutional argument for his assumption and exercise of supreme power and to make him seem a *de jure* ruler by any stretch of legal technicality. Not all the flattery of his panegyrist could transmute the fact that his ascendancy was personal into the fiction that he was somehow entitled to his position by custom, statute or precedent. If that fact was a stubborn reality, the English constitution was no less stubborn — and more enduring. To it he was and remained a “usurper” who held his position only by his wit and sword. This was the handicap he could never overcome, the enemy he could never overthrow, and it was this, in the last resolution, which brought down in ruins the political edifice which he and his followers had raised.

CHAPTER V

THE PEACE WITH HOLLAND

FEBRUARY—MARCH, 1654

It had now been six weeks since the installation of Cromwell as Protector under the *Instrument of Government*. In that period, besides carrying on the routine of administration, negotiating the terms of peace with the United Provinces and opening communications with other powers, the new rulers of England had faced successfully the threat of revolt against their authority. The very enumeration of their tasks indicates the extraordinary activity of the Protector and his colleagues in those busy and critical days. But they were men accustomed to business and crises, skilled in civil and military affairs, with long experience in both, and backed by a well-disciplined army and a well-organized civil service. The new government had not been generally recognized by foreign powers and its place in the European system was as yet undetermined, but with the establishment of what seemed a settled government the diplomatic situation improved and it seemed probable that the Protectorate might accomplish what the Commonwealth could never quite achieve in that field.

Of this there were many indications. The Protector's instructions to Whitelocke indicated that peace with the Dutch was at hand and Swedish reactions were correspondingly favorable. King Frederick of Denmark was delighted at being included in the terms of that treaty. Hoping that the satisfaction of the English merchants, some twenty of whose ships had been seized by Denmark in the Sound, would be all that would be required of him, he hastened to send an envoy, Henry Wilhemsen Rosenvinge, to congratulate the Protector and assure him of Denmark's friendship.¹

The treaty with the Netherlands had already been ratified by the authorities of Utrecht,² and the prospect of its conclusion not only did much to strengthen the Protector's position at home but had a calming influence on all of western Europe. It had another result, for the Archduke Leopold hastened to send the captain of his guard, Don Francisco

¹ A copy of Frederick's letter to Cromwell dated Feb. 4, 1654 (N. S.) is in the Royal Danish Archives and is cal. in the 47th Rept. Deputy Keeper of Public Records in England, p. 76. See also letters of intelligence from Copenhagen and Hamburg, both dated Jan. 28/Febr. 7, in Thurloe, ii, 40.

² Ratification Feb. 3/13 in *ibid.*, pp. 46-7.

Romero Villaquirean, to congratulate Cromwell on his accession.³ It was apparent from the advances of the Emperor's brother that England was once more a power to be reckoned with in the affairs of the Continent and its ruler a man to be conciliated. This was more important in that the Emperor had declared for Charles Stuart just before the establishment of the Protectorate.⁴ Louis XIV had taken no public stand and Mazarin's proposal of friendship made through his envoy, de Baas, who left London on February 4 after three audiences with Cromwell, was suspect on account of the French overtures to the Dutch.⁵ But when the French court saw, to its regret, that peace between England and the United Provinces was imminent, it began to consider the question of recognition seriously. The intelligerencer Morell reported to the Protector on February 1 that Nicholas Fouquet, superintendent of finance and Mazarin's right-hand man, had been selected for the task,⁶ but his information was not correct — or at least Fouquet did not go. None the less the French court began to debate the question as to whether a letter to the English Protector should be addressed "*à Monsieur mon cousin*," or merely "*à mon cousin*." The former was said to have been decided on but on February 11/21 Louis XIV had recognized the new order in so far as to sign a letter addressed to "*Monsieur le Protecteur*,"⁷ and by the 15th it was known that Bordeaux had been commissioned as ambassador.⁸

There was no longer any reason for delay on the part of other princes and powers of Europe in acknowledging the diplomatic equality of the new English ruler and they hastened to follow the example set by the French king. Ferdinand de Medici, Grand Duke of Tuscany, whose government had been at odds with the English Commonwealth for some time over the incidents of the Anglo-Dutch naval operations in the Mediterranean, was among the first. He had protested in January 1653 against the activities of the English captain Appleton, and the Commonwealth in turn had blamed him for forcing English vessels out of the harbor of Leghorn in the face of a superior Dutch fleet waiting to engage them.⁹ The Tuscan resident in London, Amerigo Salvetti, who

³ *Ibid.*, ii, 69 (letter Feb. 4).

⁴ Whitelocke, p. 570. According to *Merc. Pol.*, Dec. 29-Jan. 5, Charles received 200,000 crowns from Germany about this time.

⁵ Paulucci to Sagredo, Feb. 4/14, *Cal. S. P. Ven.* (1653-4), p. 183.

⁶ Thurloe, ii, 61.

⁷ Pr. in Guizot, *Cromwell*, ii, 388, from French archives. Cal. in 39th Rept. Deputy Keeper of Public Records in England, p. 708.

⁸ Thurloe, ii, 89; *Merc. Pol.*, Feb. 23-Mar. 2.

⁹ *Cal. S. P. Ven.* (1653-4), pp. 6, 44, 46. Captain Appleton, who was captured in this engagement, wrote an account of the battle which he dedicated to Cromwell. On Nov. 14, 1653, Charles Longland, the English naval agent in Leghorn, wrote to Cromwell protesting his innocence of the charges made against him in Appleton's book. *Cal. S. P. Dom.* (1653-4), pp. 243-9.

represented his government in this difficult situation, had delivered a letter of good-will to the Council of State in October, and now on February 6, he was received in the Protector's audience chamber to offer the congratulations of Tuscany.¹⁰

It was not surprising that in the state of European affairs at this moment these rulers should waive their dignity and recognize the new ruler of England as an equal, for, in one fashion or another, they were all in need of him. Spain and France, still engaged in hostilities, each was desirous of the good-will and, if possible, the assistance of the head of the most formidable land and naval forces in Europe. The Prince de Condé, now wholly committed to the cause of Spain in whose armies he held high command, still entertained designs of greater moment. He had been among the first to congratulate Cromwell in the preceding December, and it was even rumored that he hoped to arrange a marriage between his son, the Duc d'Enghien, and one of Cromwell's daughters.¹¹ The Archduke Leopold was, like his brother, the Emperor Ferdinand III, eager to restore the power and prestige of the Hapsburg house which had been weakened during the Thirty Years' War, and saw its most formidable antagonist in the French monarchy. Protestant states like the Swiss cantons desired an ally so powerful as the Protector, and maritime powers like Denmark and Sweden were no less anxious for the good-will of the nation whose navy was proving itself the strongest in Europe.

Nor was the effect of the successes against the Dutch and the establishment of a new and powerful dictatorship in England confined wholly to the affairs of Europe. In the proposal for a division of the world between England and the Netherlands, which had been discussed unofficially in the preceding September, there was one article which suggested that all of America belonged to England's sphere of influence. Though that proposal had not been accepted by the Dutch, the English revolutionists, reinforced by the appeals of their fellow-religionists in New England, had not allowed the matter to drop. William Hooke, a "teacher" in New Haven, who presently became a chaplain to the Protector, had taken occasion while writing to express his thanks for Cromwell's favors to his son John,¹² to send the General long and detailed reports on the state of affairs in that quarter of the world. That situation involved not only the natural antagonism of the English colonists, then pushing westward from their early settlements, toward the Dutch terri-

¹⁰ *Ibid.*, pp. 207, 211; *Perf. Diurn.*, Feb. 6, 1653-4.

¹¹ Letter of intelligence, Jan. 7/17 in *Thurloe*, ii, 12-13. Condé's letter of Dec., 1653, is quoted in Merle d'Aubigné's *The Protector* (1847), p. 166, from *Revue Nouvelle*, ix (1846), 399.

¹² One of these letters was considered in the Council on Oct. 6, 1653. One dated Nov. 3 and pr. in *Thurloe*, i, 564-5, mentions a third written at some time between the two.

tory of New Amsterdam, but the enterprise of Dutch traders who were supplying the Indians with arms to such an extent that it had roused the protests even of the governor of New Amsterdam. Thus hampered in their westward expansion, meeting the competition of the Dutch fur-traders from their headquarters at Albany and New Amsterdam, and seeing even their small numbers reduced by the return to England of settlers who found the situation discouraging, the three colonies of Connecticut, New Haven and Plymouth proposed to drive out the Dutch by force. To this the people of Massachusetts Bay colony were opposed, partly by virtue of their remoteness from the Dutch rivalry, partly because they had found means to expand to the north, and partly because they were afraid that if the sword were drawn they themselves might be subjected to it. Under such circumstances the three other colonies did not feel themselves strong enough to engage the Dutch on their own account, and the attention of the Protector having been called to this situation, he took occasion of the war with the Netherlands in Europe to extend hostilities to America. Two officers, Major Robert Sedgwick, who had been made Major-General of Massachusetts in 1652, and Captain John Leverett, whose father had been one of the original subscribers to the Massachusetts Bay colony, were provided with fifty soldiers from Ingoldsby's regiment and a vessel, the *Black Raven*, under the command of Sedgwick who was then in England, and sent to New England before the month of February was out, with the following commissions and instructions:

To the governors of the English colonies in America

GENTLEMEN,

We are assured you have been long since acquainted with the hostile attempt of the Dutch, and their injurious proceedings in reference to this nation; whereby the long continued amity betwixt us and them hath not only been disturbed, but an open and fierce war raised and prosecuted, to the shedding of much blood; which yet continues, through the averseness of their spirits to ways of peace.

It hath often been presented to the state here, that all (or at least some) of your colonies have met with unneighbourly and unchristian dealing from that people; in which respect, as also in compliance to your native country (according to the declaration of the late council of state, dated the 19th of July, 1652, which we doubt not was sent you) it was expected you would have improved the present opportunity to ease yourselves of that burthen, and vindicate the English right in those parts.

We willingly decline at this time any strict enquiry after the causes of your non-compliance with us, and non-attendance to your own concernment in this juncture of affairs, yet we cannot but say, the injuries you have received from them (not to mention our own, wherein yet we could not think you took upon yourselves as divided from us) are not so great, and of that nature, as they have been represented, if a war with them be not just, yea (as the case stands) not

necessary, and the strength of your numbers there compared with theirs far less than hitherto we have apprehended, if in so just a cause, through the blessing of God, you might not expect comfortable success in such an undertaking.

However, we are not willing to be wanting to you or the English interest; therefore we have added to the number and strength of ships design'd for those parts upon another service, and in them sent such proportion of ammunition, powder, etc. as may be helpful to your stores in that kind, for furnishing a competent number of land soldiers; as also given commission to [Sedgwick & Leverett], that if there be a concurrence in your colonies to the work (whereof we see little reason to doubt) their utmost assistance may be given, for gaining the Manhattoes or other places under the power of the Dutch.

We have referr'd to such, as are to be trusted by us in this service, to consider with yourselves or others, to whom you shall commit the managing of that affair; and to determine what number of men may rationally be sufficient to carry on the design; that being fittest to be concluded upon the place, where the numbers and strength of the enemy, with his condition in other respects, may be best understood.

And altho' some of your colonies are more immediately concern'd in this work than others; yet your union and mutual combination being such, as doth engage you in a mutual assistance each of other: In cases of this nature, we see no considerations that may hinder any of your colonies joyning readily and vigorously with the rest in this work, which concerns the common welfare.

We desire all possible expedition may be used in carrying on this design, and our ships dismiss'd that they may seasonably attend that other service, to which they are appointed; and so commanding you and your affairs to the goodness of God, we rest, etc.¹³

OLIVER PR.

Instructions to be observed by Major Robart Sedgwicke, commander of the Blacke Raven and Captaine John Leverett who is joined with him for the carrying on the service herein required.

You are to take under your care and direction for this present expedition, and according to the Instructions following, the ships *Black Raven*, *Hope*, *Church*, and *Augustine* now in the River of Thames and at Portsmouth, and direct your course either to the Massachusetts Bay in New England, or to Pequot harbor, New Haven, or other good port within any of those United Colonies as providence shall order the wind and occurrences most conducing to the furtherance of the present design.

Upon your arrival (through the blessing of the Lord) in any of the aforesaid harbor, you are immediately to deliver or send away the letters committed to you and directed to the several Governors of the Colonies of the Massachusetts, Plymouth, Connecticut and New Haven, with intimation to them from yourselves of your arrival & expectation of a sudden Answer to the contents of the said letters.

If upon return from them, you finde an inclination and readiness in them to

¹³ Thurloe, i, 721-2. The actual date on the letter to the four governors was probably February 17 according to Records of a meeting at Charlestown pr. in *ibid.*, ii, 419.

join in the present undertaking for vindicating the English Right, and extirpating the Dutch, and that such Numbers of men out of all or some of the Colonies the determination whereof must be left to your own wisdom with the advice of others to be employed in the service, be prepared by them with all such other Necessaries provision there attainable, as may rationally conduce to that end, you are without neglect of any opportunity to address yourselves to the work by ordering the ships for the Manhattos, and taking care that the soldiers from the Colonies may by a land march meet them there or be taken into the ships as by advice may be judged most advantageous. [You being come to the Manhattos you shall by way of surprise, open force, or otherwise, as you by advice of a council of war consisting of the commanders of the ships and army shall judge most conduced to that end, endeavour to take in that place in the Name of his Highness the Lord Protector of the Commonwealth of England, Scotland and Ireland for the use of the said Commonwealth. And you have power to promise and give them fair quarter in case it be rendred upon summons without hostile opposition; the like also you shall do to the fort of Auranea or any other place upon Hudson's river.]¹⁴

If the Lord give his blessing to your undertaking, that the forts and places be gained, you shall not use cruelty to the Inhabitants, but encourage those that are willing to remain under the English government and give liberty to others to transport themselves for Europe. Upon gaining of the places you shall with like advice settle such garrisons and order affairs in such manner as what is so gained may be preserved to the English Interest till further directions be given therein, and shall provide that the charges to be expended for maintenance and preservation therof may be borne out of the bever trade or other advantages the place affords, as likewise some suitable recompence be given to the soldiers employed in this service according to their several proportions & deserts but of such things as shall be there gained if any such be.

In all your proceedings you shall endeavour to hold loving correspondence & advice with the Governors of the English Colonies and such as they shall commit trust to for your assistance that if possible no breach or disaffection may appear in this undertaking, wch. is only designed for the secuerity of those plantations with the comfort of themselves And posterity.

The aforementioned service being performed, if time permit and oportunity be presented, you are to proceed to the gaining in any other places from the Enemie wch upon advice with a council of war may be judged feizeable and conduced to the settlement of the peace and safty of the English plantations. If any thing shall occur to hinder the undertaking or prosecution thereof, or when the work is finished, the commanders of the several ships are to attend such directions as they either here receive from the commissioners of the Navy or those to whom they are consigned in those parts for their future dispose.

In the transaction of this business we shall depend much upon your wisdom & prudence to act according to intervening occasions and circumstances wch may be best be discerned and improved upon the place. We expect from you a careful observation of all passages and proceedings of moment relating to this service, and that an axact accompt be kept thereof and rendred into us as opportunity is presented. In case you find any such obstructions as thereby

¹⁴ This passage is pr. in *ibid.*, i, 722, from a record in Thurloe's handwriting.

any of the goverments should be induced not to improve the public power in furthering the service, you are to desire that volunteers should not only be permitted but encouraged to engage therein.

By command of his Highness

Jo. THURLOE.¹⁵

Whitchall, 8 Feb. 1653.

It is apparent that the overseas policy of the Protectorate, like that of the Commonwealth, was influenced not only by religious but by commercial interests, which, though not identical, were closely allied by the fact that the merchant-class was largely, if not predominantly, Puritan. For the first time this class had a government in full sympathy with it and its pressure was the chief element in the determination of a commercial and colonial policy. It had been one of the main factors in pushing forward the Dutch war. The reprisals on French shipping had been due at least in part to the pressure from the trading class; and it had been equally insistent on the extension of British power in Asia, Africa, and America, as well as in the Baltic and the Mediterranean. It was at this time and in these hands that England began to turn definitely from its position as an island chiefly agricultural to a world-power chiefly industrial and commercial.

On the other hand such a policy as had been followed by the Long Parliament had brought with it certain disadvantages, and the merchants were now as eager for peace in Europe as they had earlier been for the crushing of their chief competitor in the world-markets. Moreover the civil wars, while they had done much to increase the population of English overseas possessions, had carried the quarrel into distant lands and had complicated the conduct of business as well as the task of government everywhere. The transportation of the conquered Welsh, Scotch and Irish had been preceded, accompanied and followed by the emigration of many Royalists seeking refuge in the new world. Though New England was on the whole highly favorable to the cause of the Commonwealth, the colonies farther south were lukewarm or frankly hostile, Virginia and Barbados in particular, while the loyalty of Rhode Island, which Sir Henry Vane had taken under his especial protection, was dubious, and Maryland, which was in the hands of the Calvert family, was, like Virginia, divided between its Cavalier and Roundhead sympathies. This situation the Long Parliament had been quick to perceive and had taken prompt steps to reduce to submission the hostile elements in the English colonies. In 1651-2 that submission had been enforced by threat of arms in Virginia and Barbados, though not without resistance on the part of the latter. In Virginia the governor, Sir William

¹⁵ From a copy signed by "Jno. Leverett," in *Mass. Hist. Soc. Coll.*, 4th series, ii (1854), 230-3.

Berkeley, who had offered asylum to Royalist émigrés, was replaced by three Puritan commissioners, Edmund Curtis and two residents of Virginia, Richard Bennett and William Claiborne, who were given authority over "the plantations within the Bay of Chesapeake." Bennett was elected governor of Virginia by the General Assembly, and Claiborne, who had long been opposed to the government of Lord Baltimore in Maryland, took the opportunity to rouse resistance to the governor, Stone, who sided with the proprietors, and within two years the province was embroiled in civil war. None the less these colonies, like those in New England, were permitted the right of self-government, though in them, as in Barbados, the Cavalier-Roundhead rivalry continued.

Such was the situation which confronted the Protector at his accession. His policy was a continuation of that of the Independent element in the Long Parliament — the furtherance of English power overseas by every means, by the Navigation Act, by the project of an English port of entry on the Continent, by hostilities with the Dutch and French, even by the transportation of Royalist prisoners to the American plantations. By the time of his rise to power that policy was in full operation and had begun to bear fruit in the form of appeals to him from many quarters. Certain disgruntled individuals in Barbados had written¹⁶ to protest the acts and character of the General Assembly there. Colonel Sir Thomas Modyford, a Royalist emigré-planter, who had made terms with Ayscue when the latter had been sent to secure the island for Parliament in 1651, explained to Cromwell in October that the failure to recognize the Commonwealth at once was due to these disloyal officials;¹⁷ and the situation there was still disturbed when on January 14, 1654, some merchants of London interested in its trade petitioned the Protector to send commissioners thither to settle its affairs.¹⁸ Governor Searle sent congratulations to Cromwell on his accession, on February 17, and asked for instructions,¹⁹ and at the end of March the Council of Barbados sent assurances that despite a few "troubled spirits" the government was respected.²⁰

At the other extreme of English power in America, the New England colonies were for the most part favorable to the new order, but the little province of Rhode Island, true to its individualistic character, not only was not allowed to join the confederation of the other colonies but split

¹⁶ A remonstrance was presented to him from Captain Thomas Noel, Major Robert Hackett and Captain Richard Saunders, "making the Assembly seem odious" and a letter dated Sept. 19, 1653, was sent to the Assembly. (*Cal. S. P. Col.* (1574-1660), pp. 408-9. On Aug. 16, 1654, Thomas Noel was appointed secretary to the Governor Daniel Searle who was reappointed in July, 1654. See appointments, *infra*, pp. 390, 400.

¹⁷ Letter, Oct. 12, in *Thurloe*, i, 537.

¹⁸ *Cal. S. P. Col.* (1574-1660), p. 463.

¹⁹ Letter in *Thurloe*, ii, 99-100.

²⁰ *Ibid.*, pp. 199-200.

into two parts and had its charter revoked, though the revocation was not made effective. Moreover, though the Puritan influence was supreme in New England, its colonies went their own way with small regard to the changes in the home government. The most powerful of them, Massachusetts, was particularly jealous of its independence. In 1651 it had evaded a demand to surrender to Parliament its charter from Charles I and when Cromwell became Protector it declined to allow that event to be proclaimed within its borders. In spite of these circumstances, however, the principle of self-government in these colonies was interfered with only enough to keep the overseas possessions within the circle of British influence, since for the time being the revolutionary leaders in England had enough to do at home without embroiling themselves too deeply with overseas possessions.

That circle of influence meanwhile had been extended by the ambitions and activities of individual adventurers with curious results. Of these men some had penetrated to Greenland and among the extraordinary problems which came before the Protector and his Council was a petition from a group of hardy souls who had found their way to that inhospitable region. On February 7 they proposed that its harbors be open to all, with a certain number allotted to each location, the choice to be given in accordance with priority of arrival until the prescribed number was complete.²¹ Three weeks later a set of rules was sent to the Greenland Company.²² Still more troublesome than such proposals were the issues raised by English merchants who had settled in foreign cities, for, as usual, they did not always see eye to eye with the official representatives of the government stationed there in the consular service. The Company of Merchants in Hamburg was especially notable for the length and bitterness of its quarrel with the British resident, Richard Bradshaw, who had been at that post for several years and was now accredited by the Protector:

Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland and its Dominions:

To the Illustrious and most Honorable Governors and Senators of the State of Hamburg, Greeting.

ILLUSTRIOS LORDS,

Since the honorable gentleman Joachim Peterson, your Representative here, recently made known to us your wishes, in accordance with which you desire the long-continued understanding which hath existed between the Commonwealth and your state to be confirmed, it hath seemed desirable to us to make public our inclination and favorable disposition to this purpose; in clear witness of which we have by our instructions directed the honorable gentleman, Richard Bradshaw, esq.,²³ to stay with you as our Representative, and we

²¹ *Cal. S. P. Dom.* (1653-4), pp. 392-3.

²² *Ibid.* (1654), p. 1.

²³ The Latin is "Armiger."

therefore request that you may be pleased to grant him favorable audience as often as he seeks it, and to place full reliance on those statements which he is to make on our behalf.

Given from Whitehall, February 10th, in the year 1653/4.²⁴

At the same time he demanded of the merchants that they cease the practices of which the English resident periodically complained, the chief offender being one Francis Townley. A fragment of the Protector's letter ordering such behavior to cease is taken from one of Bradshaw's later letters:

To the Company of English Merchants of Hamburg

. . . And we do hereby strictly require, that for the future you do not only give all due respect and obedience to our resident in executing the trust we have reposed in him, for the preservation, as well of the due honour and interest of this commonwealth in those parts, as an orderly government among yourselves; but likewise to be assisting in discovering and bringing to condign punishment all such among you, as shall be found obstinate and disobedient.²⁵

Feb. 10, 1653-4.

Two days before he wrote this letter, on Wednesday, February 8, there had taken place the banquet to which the Protector had been invited by the City of London, "in contradiction," wrote Evelyn in his diary, "to all costome and decency."²⁶ As the first official recognition of his new office, it was equally important to Cromwell and to the London authorities to make manifest their cordial relations with each other. This occasion, like other such entertainments, and in even greater measure, was seized upon as a demonstration of the strength and importance of the new government, and in many respects it surpassed all the spectacles which the revolutionary party had previously staged at various periods of its progress. Elaborate preparations were made for the great function which began with an imposing procession from Whitehall to Grocers' Hall where the banquet was held. Before the Protector's coach marched his Life-Guard; on either side his heralds, while twelve richly liveried footmen and two pages guarded the equipage in which rode the Protector, General Lambert and the Lord President of the Council, Lawrence. The field-officers, bravely mounted, followed the coach, with Whalley at their head and Reynolds bringing up the rear.

Thus the cavalcade made its way along the Strand to Temple Bar. There, according to the custom of the City liberties, the Protector

²⁴ Translated from the Latin copy in *Rawl. MSS.*, A261, f. 1, in App. II (2), *infra*.

²⁵ Quoted in a letter of Oct. 28, 1656, in Thurloe, v, 527. Townley had by that time been recalled to England and returned to Hamburg without permission.

²⁶ Evelyn, *Diary*, Feb. 8, 1653-4.

alighted from his coach and was received by the Lord Mayor who offered his sword of office which was immediately returned to him. Clad in a "musk-coloured" suit, richly embroidered in gold, his Highness mounted a horse and followed the Mayor who rode bare-headed along Fleet Street, Ludgate Hill and the Poultry to Grocers' Hall. The streets had been lined on both sides with blue-covered rails and their festive air was supplemented by flags and streamers bearing the arms of the various City companies whose liveried members had taken their places within the barriers at eleven in the morning. Yet with all this grandeur of power and this display of loyalty by the City authorities, though the Protector doffed his hat repeatedly, he was received in silence. Not a shout of applause, not a single "God save" was heard from the sullen crowds which lined the route of the procession. London's masses with their prevailing Royalist, Presbyterian and Fifth Monarchist sentiments were moved by no such considerations as those which animated its officials to pay homage to the new master of the state, and whatever else the great spectacle proved, it demonstrated beyond dispute that the Protector and his government were not popular with the citizens.

The great feast for eight hundred persons which had been prepared in Grocers' Hall did something to atone for the gloomy reception accorded the Protector by the London crowds. William Steele, who had been appointed but had been unable to act as attorney for the Parliament in the trial of the King and was now Recorder of the City, welcomed the Protector in a laudatory speech in which he had much to say on the origin of government and the duties of rulers. To this Cromwell replied, it seems with unusual brevity, that "he was greatly obliged to the City of London for this and all former testimonies of respect,"²⁷ and so took his seat at the high table, with the Lord Mayor on his right and his son Henry on his left, with the members of his Council, Monk and Whalley, and the Protector's son-in-law and Master of Horse, Claypole, about them. Thus amid music, reciting of poetry and the singing of a song hastily composed for the occasion,²⁸ with the thunder of guns from the Tower as a significant accompaniment, the dinner went on. After the main meal was over the company adjourned to an upper room where it was entertained by a sumptuous "banquet," or dessert. There the Protector knighted the Lord Mayor, and after being presented with a gift of plate worth £2,000²⁹ began his return journey to Whitehall about seven

²⁷ In *Perf. Diurn.*, Feb. 8 and *Merc. Pol.*, Feb. 9. Pr. as *The Speech of Mr. Recorder*. Cp. also Macray, ii, 314.

²⁸ Pr. in *Weekly Intell.*, repr. in Gardiner, *Comm. and Prot.*, iii, 111. A Latin epigram is pr. in *Merc. Pol.*, Feb. 9-16.

²⁹ In the Council's minutes of Feb. 15 is an item "Strickland and Jones to bespeak of Sir Thos. Vyner . . . 2 services of plate for use of the Protector and his Lady." *Cal. S. P. Dom.* (1653-4), p. 402. Some said at the same time Crom-

in the evening. The way was ablaze with torches, the crowd was still there — and still silent — and its feelings were perhaps best expressed by an individual who threw a brickbat at the Protector's coach from the top of a house in the Strand by St. Clement's.³⁰ It missed its mark and the perpetrator of the insult was not discovered, but the rumors which ran through the crowd were as hostile to the new government as this overt act. It was noted as signs of the times that a part of the wall of St. Paul's had recently crashed to the ground; that the ghost of Charles I had been seen in Whitehall by several credible witnesses; that there had been a comet which portended evil; and that the time of the ebb and flow of the Thames had been miraculously lengthened two hours, as it had been before the execution of the King.³¹ All in all, whether human or super-human, the auspices of this first visit of the Protector to the City were highly unfavorable.

To counteract the opposition to the new government the talents of the journalist Marchamont Needham were enlisted in the production of a pamphlet, *A True State of the Case of the Commonwealth*, which appeared on the day of the London festivities. Its two chief theses were the condemnation of the Nominated Parliament and the exaggeration of the part to be played by the people and their representatives under the *Instrument of Government*. But Needham did not confine his talents to journalism. He had also been employed as an intelligence agent, and on the day before his pamphlet appeared he had reported the results of his investigations in London. They related chiefly to the activities of the Fifth Monarchists, who, though Feake and Simpson had been imprisoned, were roused to new attacks on the government by the establishment of the Protectoral court, the knighting of the Lord Mayor, by the measures looking toward the regulation of the ministry, and by the failure of the movement against tithes. Needham visited their principal meeting-place, All Hallows, and found it crowded, but dull without Feake and Simpson. He suggested, none the less, that the meetings held there be suppressed, on the ground that they damaged Cromwell's reputation among foreigners. To this he added some account of the doings of one of Simpson's followers, the reputed prophetess or female "tub-preacher," Hannah Trapnell, who had impressed the vulgar by her trances and revelations, which were reinforced by the recent marvels demonstrating divine displeasure with the Protectorate. A movement was then under way to print her prophecies and hymns — which, though she prayed for him,

well's young grandchild, Sir Oliver Claypole, was knighted. *Newsletter*, London, Feb. 10, Macray, ii, 314.

³⁰ *Cp. Perf. Diurn.*, Feb. 8; *Merc. Pol.*, Feb. 8; *Ludlow, Memoirs*, i, 283; *Heath, Chronicle*, p. 662; Macray, ii, 314; *Cal. S. P. Ven.* (1653-4), pp. 184-5; *Parl. Hist.*, xx, 274.

³¹ Paulucci to Sagredo, Feb. 11/21, *Cal. S. P. Ven.* (1653-4), pp. 184-5.

vere "desperate" against Cromwell, his family, friends and government — and to send her on a tour of the country to rouse it against the Protectorate as she had been rousing the City.³² Nothing was done to curb her activities in London, and, accompanied by two radical members of the Nominated Parliament, she presently set out on her mission, but was arrested in Plymouth for disturbing the peace, sent under guard to Westminster, and for six weeks confined in the Bridewell prison.³³

The protests of the Fifth Monarchists did little to alter the course of the Protector and his Council. On the day after the City dinner, he conferred the honor of serjeant-at-law upon the London Recorder, Steele, and four other lawyers — John Maynard, Thomas Twysden, Richard Jewdigate and Hugh Wyndham³⁴ — of whom the last two were at once named as judges for the winter assizes.³⁵ On Saturday the 11th the Protector gave audience to four or five ministers from Leicestershire who delivered an address from that county expressing satisfaction with the recent change in government; and on the next afternoon he listened to another group of ministers who preached before him after the custom of the court.³⁶ Thus, it would appear, the religious elements, like those of politics, were now becoming clearly defined into three general groups — the Anglicans, the Independents proper, and the extremer sects. Of these the Independents as occupying the middle ground were naturally opposed by the other two, by the Anglicans more or less secretly and by the Fifth Monarchists openly and defiantly, while the Presbyterians, though opposed to Cromwell and the Protectorate, in turn stood, as it were, between the extreme parties and the Independents. And among the problems with which Cromwell had to deal, not the least was to bring some semblance of order out of this ecclesiastical chaos.

First, however, it was necessary to deal with more imminent issues. In February 13 the Protector signed some thirteen orders and ordinances of the Council³⁷ and on that same day there arrived Beverning's servant bearing a letter from the States General to the Protector accrediting his master as Ambassador Extraordinary, and another announcing the despatch of Nieupoort and Jongestal to assist him in the negotiation.³⁸

³² Letter in *Cal. S. P. Dom.* (1653-4), p. 393.

³³ *Ibid.*, pp. 86, 89, 134, 197, 436, 438; and see L. F. Brown, *Baptists and Fifth Monarchy Men* (Washington, D. C., & L., 1912), p. 49.

³⁴ *Perf. Diurn.*, Feb. 9; *Merc. Pol.*, Feb. 9.

³⁵ Those appointed were: Western Circuit, Rolle and Glyn; Berks, Oxford, St. John and Atkins; Sussex, Kent, etc., Aske and Newdigate; Midland Circuit, Horpe and Pepys; Bucks, etc., Nicholas and Conyers; Northern Circuit, Hale and Wyndham. *Perf. Diurn.*, Feb. 13.

³⁶ *Ibid.*, Feb. 20.

³⁷ *Cal. S. P. Dom.* (1653-4), p. 401. Bills for the expense of the Protector's chancery were referred on that day to the committee to consider his treasury.

³⁸ Credentials in *Thurloe*, ii, 76.

This marked a great step forward in that negotiation, for de Witt had not only persuaded the Dutch provinces to authorize Beverning to congratulate the Protector, but had extracted from them a resolution empowering Beverning to sign and conclude the Articles of Peace if not joined by his colleagues by February 20, provided he would use his best efforts to secure the inclusion of France and, if possible, the cessation of hostilities.³⁹ His status and mission thus defined, Beverning was granted an audience on February 15, and his account of this function and of Cromwell's behavior and words provide a vivid picture of this, the first formal audience of such importance in the Protectorate, as well as of the Protector's economy of speech in matters of this kind:

His Highness, assisted with the whole council, did receive me bare-headed, and did hear me thus almost all the while: and because I was somewhat incommoded in my left leg, and therefore obliged to be carried in a chair, his Highness ordered an arm-chair to be set for me, of the same fashion as that wherein he was going to sit down; but seeing that I remained standing, altho' he stooped already to sit down, yet he rose again, and heard me standing. I was brought up by the master of the ceremonies, and introduced by two noblemen, when his Highness advanced towards me one or two steps; and thus I was again led back, and was accompanied sitting in my chair by Mess. Pickering, Strickland, and the master of ceremonies, thro' all the chambers and galleries to the park. I thought fit, because of the good opportunity, besides the compliment of congratulation, to mention something by-the-by of our chief affairs; whereupon I received nothing but a dilatory answer, since my proposition was only relative to the arrival of my confraters. But as to my congratulation, his Highness answered me with many expressions of affection and esteem towards your high mightinesses.⁴⁰

Meanwhile the attention of the Protector and the Council was called to a danger much nearer home than the Dutch war. The encouragement which the Royalists had received from the incompetence of the Nominated Parliament had led inevitably to the hatching of plots to set Charles II on the throne, and Cromwell had already warned Fleetwood of Royalist activities in Ireland. These, by February 15, Fleetwood decided, constituted a "reall designe," complaining, however, that the mildness of the treason ordinance prevented his taking any adequate measures against the conspirators.⁴¹ At the same time a committee of leading Royalists, which, with Charles' approval, had been preparing for an insurrection, had decided to disband, and in its place there had been organized a council of energetic conspirators which called itself the "Sealed Knot," and was

³⁹ Resolutions in *ibid.*, pp. 77-78.

⁴⁰ Beverning to States General, Feb. 15/25, *ibid.*, pp. 92-93. Beverning's next remarks were taken by Stainer (p. 123) as a quotation of Cromwell's speech, but are in reality the Ambassador's own admonitions to his government. Thurloe, ii, 93.

⁴¹ Fleetwood to Thurloe, Feb. 14, 16, *ibid.*, pp. 89, 94.

thenceforth to disturb the Protector's peace of mind to the end of his days.

The identity of its members was so closely guarded that even those enlisted to take part in the proposed insurrection were ignorant of the names of their leaders.⁴² The origin of the new conspiracy is naturally somewhat obscure, but it appears that as early as October of the preceding year, when the irritation of the City against the prosecution of Lilburne and the incompetence of the Nominated Parliament was at its height, a little group of men, apparently connected later with the Sealed Knot, began to meet at various taverns in London, including, ironically enough, the *Nag's Head* in Cheapside where Cromwell and his Independent colleagues had met with the leading Levellers in 1648 to discuss the disposal of the King. Although there were only about a dozen of them, apparently, the conspirators dreamed of organizing a formidable insurrection, in which Massey, Willoughby of Parham, the Duke of York and others were suggested as commanders of the forces to be raised. One of their number, Captain Thomas Dutton, not inconceivably a relative of the rich Royalist John Dutton whose nephew Cromwell had considered as a possible son-in-law, rode through the country and managed to enlist a few hundred volunteers for the desperate enterprise and collected a small sum to send another member, Colonel Whitley, to lay their plans before Charles.

When Cromwell became Protector the meetings were held less frequently, partly, no doubt, on account of the absence of these two moving spirits, and partly, perhaps, on account of the now greatly strengthened government. Finally, ten days after the return of Dutton from the west with the names of several important men in the design, a certain Roger Cotes, possibly the radical member of that name in the late Parliament, and one of the chief financial supporters of the scheme, turned informer. Acting upon his information, Lieutenant-Colonel Worsley seized eleven men, including Dutton, at the *Ship* tavern in the Old Bailey on February 14.⁴³ He shut them up in St. James's until the Council examined them, when, on February 16, they were sent to the Tower. Although he signed his deposition on that day, involving among others John Gerard who was executed the following July, Cotes was also confined to the Tower until the 24th.⁴⁴

In a sense the design was extremely convenient for the government and it was given the fullest publicity. From the testimony offered it appeared that the plotters had considered assassinating the Protector on his

⁴² Hobart to Hyde, Feb. 22/Mar. 4, Macray, ii, 318; intercepted letters, Feb. 26, Thurloe, ii, 64, 70.

⁴³ One of them, the proprietor of the tavern, was released at once.

⁴⁴ Examination of Cotes, Thurloe, ii, 95-6; of Sawyer, Feb. 24, *ibid.*, 114-6; *Perf. Diurn.*, Feb. 18; *Merc. Pol.*, Feb. 18; *Sev. Proc.*, Feb. 16-23; *A Full and Perfect Relation*; and *A Treasonable Plot Discovered*. See also letters, Cotes to Sydenham, and Sydenham to Thurloe, Thurloe, ii, 105.

journey to or from Grocers' Hall on the day of the City's feast, but decided that the time had not come to carry out their plan to seize Whitehall, St. James's, the Tower and the City gates.⁴⁵ It was hoped to secure the aid not only of the Royalists but of the Anabaptists who formed a large and discontented group especially in Wales, and were a powerful element in the army.⁴⁶ Beverning's opinion that it was but "an idle ranting of drunken fellows" was not shared by the government, nor were the men arrested considered entirely inconsequential, for while six of them were released on security a few months later without a trial, three were banished and another's estate was sequestered.⁴⁷ The affair had one important result, for it was apparently due to it that the new Ordinance of Explanation touching Treasons was passed at once. This made it clear that the Ordinance of the previous winter defining and limiting treason did not nullify the statement of treasonous offences mentioned in the *Instrument of Government* of more recent date.⁴⁸ This clarifying ordinance was approved by Cromwell on February 16, together with five other orders of the Council, one of which was for the collection of the three months' assessment which had been voted by the late Parliament on the tenth of the preceding December.⁴⁹

On that same day he wrote to the Irish Commissioners to intervene in behalf of three men in whose name property had been purchased by Oliver, Viscount Fitzwilliam of Meryon, sometime lieutenant-general in Preston's army:

To the Commissioners of the Commonwealth in Ireland

There hath been a petition presented unto us by Edward Lord Clinton, John Milward, and John Agard Esquires, representing that, being by your order dispossessed of certain lands in Ireland, which were sold unto them by persons comprehended in the Articles of Dublin, they cannot get to be re-invested in the possession thereof, notwithstanding the same is adjudged unto them or their assigns by the Court appointed by Parliament for relief upon Articles of War, and was seconded by a letter from the late Council of State. Upon consideration whereof, and on a view of the Order of the said Court of Articles of 15th July last (a copy whereof is here enclosed), decreeing the possession of the lands therein mentioned unto the petitioners, together with satisfaction for the rents or profits received or levied contrary to the said Articles and that Decree, not only made upon hearing the counsel for the Commonwealth, but also upon consideration had of what you had to offer; and having likewise considered of your letter of 5th October last to the said Court, and the state of the case there enclosed, and of your other orders and letters

⁴⁵ *Ibid.*, p. 116.

⁴⁶ *Ibid.*, p. 93; *Cal. S. P. Ven.* (1653-4), p. 188.

⁴⁷ Beverning to States General, Feb. 24/Mar. 6, Macray, ii, 321; *Cal. S. P. Dom.* (1654), p. 353.

⁴⁸ In *Perf. Diurn.*, Feb. 20; *Merc. Pol.*, Feb. 17; Firth and Rait, ii, 844.

⁴⁹ *Cal. S. P. Dom.* (1653-4), p. 405.

directed thither, we see no cause why the said Order of the Court of Articles, above mentioned and here enclosed, should not be put in execution, and do therefore recommend it unto you to take care that justice may be done unto the petitioners so as they may have no further cause to complain.

Whitehall, 16 Feb., 1653-4.⁵⁰

As it happened, his intervention was not successful, for on April 18 the Commissioners wrote him giving their reasons for denying the petition which he had referred to them with his recommendation,⁵¹ which seemed to evidence that the Protector's request was not regarded in the light of a royal command. More important than this, however, was his order that Lambert, Whalley and Goffe consider the question of the disposition of Windsor Castle, which he signed on the next day:

Order

I desire that Major-General Lambert and Commissary-General Whalley and Colonel Goffe would consider the settlement of Windsor Castle, and report what in their opinion is fit to be done in it.

Feb. the 17th 1653.

OLIVER P.⁵²

That request received more consideration than his letter to the Irish Commissioners, for a week later those officers reported that the soldiers of the garrison had not been paid and, although they considered it useful as a prison, recommended the reduction of their number from a hundred to eighty men.⁵³

From these matters Cromwell turned to another of more far-reaching importance. For some time after the death of the former English consul at Venice, Michael Phillips, one John Hobson had acted in his place, but in September, 1653, the Doge was advised to weigh carefully Hobson's petition for official recognition of his post to which he had been appointed by Trinity House in 1646. The situation was confused and to clear it up, on February 18 the Protector signed a letter of credence which proved effective in securing Hobson recognition, for on June 2 three "Savii alla Mercanzia" reported to the Doge that they had seen the Protector's letter and approved of the appointment of Hobson who, they said, had traded there for many years and from whose employment they believed the Doge would derive great advantage:⁵⁴

⁵⁰ Pr. in Dunlop, *Ireland under the Commonwealth*, ii, 416-7, from Irish Records A/90, 50, f. 646. Ludlow mentions the letter in his *Memoirs*, i, 380; see also Firth's note there.

⁵¹ Dunlop, *Ireland under the Commonwealth*, ii, 419-21.

⁵² Original in *S. P. Dom., Interreg.*, lxvi, 63; cal. in *Cal. S. P. Dom. (1653-4)*, p. 418. Cp. Cromwell's commission to Col. Whichcote, Dec. 10, 1653.

⁵³ *Ibid.*, p. 417.

⁵⁴ *Cal. S. P. Ven. (1653-4)*, pp. 111, 195, 201, 218. The Doge notified Sagredo on Apr. 1/11 that Hobson had presented his letter.

Oliver, Lord Protector of the Commonwealth of England, Scotland, Ireland &c.
*To the most Serene Prince, Doge of the dominions of Venice, and to the most
 Illustrious Venetian Senate, Greeting.*

MOST SERENE PRINCE, MOST ILLUSTRIOS SENA^TE,

Since some merchant ship-masters and others, and those who on behalf of their compatriots of this Commonwealth frequent the dominions of Venice for the purpose of trading, have by their votes chosen John Hobson for the place and duty of Michael Phillips, recently consul in that place, who hath departed this life; and have humbly petitioned us that we be pleased to support and confirm this by our assent; we, desiring free commerce between the two republics to be preserved and increased, and also being sufficiently convinced of the faithfulness and suitability for this post of the person recommended to us, have not unwillingly heeded their petitions. And in consequence, by these letters present, we appoint the said John Hobson our Consul at Venice, on behalf of the people of this Commonwealth carrying on commercial transactions there, and we give notice to that effect. Wherefore, as concerns your Serene Highness and your most illustrious Senate, we resolve that you be requested to receive this same gentleman with courtesy and kindness, and extend to him without diminution all legal rights, privileges and liberties granted, or wont to be granted, to those exercising this office, and afford him authority and opportunity for performing all those things that duly have reference to the duty of a Consul, not only in adjusting and deciding litigation and disputes that may arise among English sailors or traders on the occasion of exchanging goods, or otherwise, but also in expediting their business without delay and promoting their trading interests. Since this may be of no slight advantage to both republics, so in the same way, as occasion offers in return, it will lay us under obligation also for equal services of good friendship to your Serene Highness and the most Serene republic of Venice.

Given from White Hall the eighteenth of February in the year 1653/4⁵⁵

But the matter of Windsor Castle and even that of relations with Venice yielded in importance to the situation in Ireland, of which the refusal of the Commissioners to consider the Protector's intervention in the case of Clinton, Milward and Agard was some slight indication, and the earlier delay in proclaiming the Protectorate more serious evidence. Though Fleetwood's letters give no evidence of discontent in the army there and Thurloe denied the truth of the rumors to that effect,⁵⁶ the Protector seems not to have been wholly easy in his mind about the situation and at this moment he sent his son Henry on a visit to Fleetwood.⁵⁷ Thurloe declared that this was to give Fleetwood some account

⁵⁵ Trans. from the copy of the Latin original in *Rawl. MSS.*, A261, f. lv. in App. II (3), *infra*.

⁵⁶ Thurloe to Whitelocke, Mar. 3, 1653. Thurloe, ii, 130.

⁵⁷ Henry left London Feb. 18 and sailed on Feb. 22, being admitted on that day to Gray's Inn. *Cal. S. P. Ven.* (1653-4), p. 189; Thurloe, ii, 162; *Perf. Diurn.*, March 1; *Merc. Pol.*, Feb. 23; *Gray's Inn Admission Register* (1521-1889), ed. Jos. Foster (L., 1889), p. 266.

of affairs in England but Henry's letters to Thurloe indicate that he was expected to report on the Irish situation. His first letter was concerned wholly with the temper of the army, which he found to be orderly and for the most part contented. But, he added, if they had not been so inclined, they would have found sufficient encouragement from the chief officers. Colonel John Jones, he reported, was opposed to the Protectorate though not outspoken in his views, while Ludlow took every occasion to vent his discontent in whatever company he found himself. He refused to exercise his civil functions but was equally firm in his determination to retain his army command.⁵⁸ Henry strongly recommended his removal from both positions and the appointment of Desborough in his place, going so far as to suggest that it would be well to send over a wholly new body of Commissioners. Even Fleetwood did not escape the criticism of his young brother-in-law, who reported in code that the Lord Deputy wished to be relieved of his post. Fleetwood, he said, was loyal to the Protector but was too kind-hearted in dealing with the Anabaptists, though he was not himself one of them.⁵⁹

Whatever the Protector thought of his son's judgment on the Irish situation and the Commissioners, he did not see fit to follow Henry's recommendations and Ludlow and Fleetwood remained in Ireland for nearly two years thereafter. As in the case of the colonies, Cromwell had enough to do for the time being without disturbing arrangements which, however far from ideal, were working with at least moderate success. As an example of the matters small and great which pressed upon him for attention there was one of such curious character that it deserves at least passing attention. It was connected with the negotiations for peace with the Dutch upon which Beverning was still waiting for his government to act. While he waited, there appeared in London two representatives of the Lord of Ameland, a little island off the Dutch coast then some nine miles long and four miles wide and containing some four hundred and fifty houses. It was owned and ruled by one Valerius Franciscus van Camminga, whose family had held it for some eight hundred years and were direct feudatories of the Empire. Like the rest of the Netherlands this petty sovereignty had been hard hit by the war in which the Lord of Ameland professed his entire neutrality. To secure English recognition of that neutrality and to escape the injuries which the war had inflicted on his island and its inhabitants, he now appealed to the Protector as he had earlier appealed to Parliament for the benefits of his neutrality. For this he had some precedent, since nearly three hundred years earlier in the struggle between Holland and Friesland the Amelanders had sought and obtained the same privilege. Now, despite the opposition of the States

⁵⁸ Lloyd to Thurloe, March 13; Henry Cromwell to Thurloe, March 8. Thurloe, ii, 149-50, 163; Ludlow, *Memoirs*, i, 377.

⁵⁹ Thurloe, ii, 149-50.

General, the Protector granted Camminga's request, so far as Great Britain was concerned:⁶⁰

Declaration of the Neutrality of Ameland

Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, etc.

To all and every Our Generals, Admirals, Generals-at-Sea, Subordinate Officers, Colonels, Captains, and all others serving on land or sea, who shall see and inspect the present letters, Greeting:

Know that, inasmuch as Valerius Franciscus a Camminga, free and Lord by inheritance of Ameland, by petition addressed on the sixth day of January last to the late Parliament, as well as Liommaeus Petri and Theodorus Domenici, his Ministers and Delegates, by another petition addressed to Us, they being in this sense instructed by public authority, have humbly remonstrated [saying] that the Island of Ameland has been at all times in the past and is now a free and neutral Lordship, separated from the jurisdiction and rule of the United Netherlands and its members, having nothing in common with the dissensions and wars which are carried on between this Commonwealth and the said United Provinces, and for that reason humbly demand letters of neutrality, whereby the said Lord of Ameland as well as the subjects and inhabitants of that island, together with their property, their ships of commerce and fishing-boats, may be declared neutral and free from all harassment by the enemy: We, weighing well the petition of the aforementioned suppliants, having declared and by these presents do declare that the said Island of Ameland, together with all the inhabitants, natives of that place, subjects, as also the ships of commerce and the other property, shall be free, neutral, and immune, and We thus earnestly enjoin upon and instruct you and each one of you who has been enrolled in the military service of this Commonwealth, that you give to the said inhabitants and subjects of Ameland (provided they conduct themselves toward one another's enemies conformably to the laws and customs received among friends) the opportunity for full and peaceful use and enjoyment of the said neutrality so that with their own ships, shipmasters, pilots, sailors, goods and wares (of which ships and boats belonging to the same island a list has been shown to us, together with the names and ciphers of the shipmasters and the burdens of said ships and boats) they may freely and without all impediment, according to the true meaning and intent of these presents, sail, fish, and do business. And this We enjoin upon you and order under penalty of Our displeasure.

OLIVER P.

Given from Whitehall, February the twentieth, in the year 1653/4.⁶¹

On the next day, as part of the same negotiation, the Protector signed a pass for the Ameland agents, Lymonie Peters and Dirck Downes, or

⁶⁰ *Ibid.*, p. 92; *Perf. Diurn.*, Feb. 6. See *Verbael*, p. 296.

⁶¹ A copy with the notation, also in Latin, "Being compared, it agrees word for word with the original; attested by me, the undersigned, notary public, residing at Bolsward. Done 22 March, in the year 1654 New style. J. Sudolpp, Not:

Domenicus, to return to their homes,⁶² and thus ended this little interlude. It was only a minute element in the general diplomatic struggle then going on among the powers for the favor of the Protector. In particular the Spanish ambassador, Cardenas, had watched with anxious eyes the negotiations between the Protector and the States General, especially since the latter's desire to have France included in the Anglo-Dutch treaty seemed likely to be granted, and the anxiety of the French representative, Bordeaux, was no less acute.

Cardenas used every means to checkmate his rival in this diplomatic duel. On February 22 the Spanish ambassador was able to report Cromwell's favorable reception of arguments to induce him to conclude a treaty for an offensive and defensive alliance with Philip IV. The Protector agreed to send his answer to Cardenas by the "secretary of state" and on the 28th Thurloe had a conference lasting three hours with the Spanish ambassador. The Protector's great object, he told Cardenas, was to secure his position at home, and to this end an alliance with France seemed to offer greater advantages than a treaty with Spain. Nevertheless, Thurloe went on to say, Cromwell's sympathies were with Spain and but for the certainty that the English people would rebel against being taxed for such a purpose, he would not be averse to declaring war against France. If Spain would agree to supply the necessary funds, Thurloe assured Cardenas, England would send a powerful force to support the Prince of Condé in an effort to win back from France the places in Flanders and along the Spanish border which the French had wrested from Spain. Inasmuch as Condé was not a sovereign prince, the treaty would have to be drawn with Spain and include Condé as Philip's ally. Cardenas urged Philip to enter into this arrangement, arguing that France was exerting herself to the utmost to secure Cromwell's co-operation against Spain.⁶³ The ambassador also wrote to the Archduke Leopold in like strain and Leopold replied by suggesting that Cromwell be offered 30,000 crowns or even 50,000 crowns a month, if necessary to secure the alliance. This proposition from Cardenas, supported by

Pub: 1654," is in *Algemeen Rijksarchief*, St. Gen. 6914, at the Hague. The original had a seal in the upper left hand corner. See *infra*, App. II (4).

⁶² A copy marked "signed by his Highnes" is in *Rawl. MSS.*, A328, f. 2. "Downes" is probably a copyist's error. The same day Cromwell signed a pass for James Scuddamore to go to Antwerp, and three warrants — one to pay Capt. John Gladman £168 for 21 horses lost in the Worcester campaign; one to pay Tho. Fotherley £12 for medicaments used at Worcester; and one to pay Wm. Carey £1,400 spent by him in furnishing two troops of dragoons for Scotland. Copies of these are in *Rawl. MSS.*, A328, ff. 1-2. On February 24 he signed a pass for Antonio da Rosa to go to Portugal. *Ibid.*, f. 2.

⁶³ Cardenas to Philip IV, Mar. 3/13, 1653-4, pr. in Guizot, *Cromwell*, ii, 380-3, no. ii. See also *Merc. Pol.*, Feb. 23-Mar. 2; and Paulucci to Sagredo, Feb. 25/Mar. 7, *Cal. S. P. Ven.* (1653-4), p. 190.

Leopold, was laid before the Spanish Council which agreed to it, and Philip presently assented to financing an English attack on France.⁶⁴

Such was the plan by which it was proposed to enlist the Protector in an attack on France and on its face nothing could have seemed more promising. Cromwell had long since entered into communication with Condé; and though circumstances had altered since those days, though Bordeaux had fallen and the Prince was now in command of Spanish troops in Flanders, the argument that France, rather than Spain, was the chief enemy to be feared was thoroughly sound. The difficulty lay in the fact that Spain lacked the money. Mazarin declared on hearing of the offer to Cromwell that the Spaniards had not "the first sou wherewith to pay him, if he took them at their word; they would promise him with the same readiness a million or two . . . since it will certainly not cost them more to keep . . . one promise than the other."⁶⁵ The Spaniards themselves had serious doubts as to their ability to pay, and they weighed carefully the probable reaction of the Protector in case they did not live up to their bargain, for, as Philip's advisers gravely informed him, "the English are very exact and very avaricious," and not above breaking off relations if the money were not forthcoming.⁶⁶ Meanwhile, for its effect on England, the Spanish government ordered the execution of one of the murderers of the Commonwealth envoy, Ascham, the news of which Cardenas hastened to communicate to Cromwell personally.⁶⁷

Despite all this, France continued to provide fresh grounds for hostility by attacking English ships in the Mediterranean and refused to conciliate the Protector in one of the matters nearest his heart — the relaxation of the harsh treatment of the Huguenots. Nevertheless the French government took measures to win him over to its side. Its first step was to plan the banishment of Charles II and his court and thus remove that source of support to Royalist plotters who were at once an annoyance and a threat to the Protector.⁶⁸ The other step was the elevation of Bordeaux to full ambassadorial rank and the unreserved recognition of the Protectoral government of which this was a part. This was not accomplished without the usual court intrigues. Bordeaux had not only wanted the post but spent much money to get it, and prepared to spend more to gain recognition in England,⁶⁹ but Philippe de Clérembaut, Marechal de France, and the Marquis d'Arpajon were also considered as being of suitable rank

⁶⁴ Leopold to Philip, Mar. 11/21; Navarro to Cardenas, Mar. 11/21; Opinion of the Spanish Council, Apr. 12; all in Guizot, *Cromwell*, ii, 383-8.

⁶⁵ Mazarin to Bordeaux, Apr. 8/18, 1654, quoted in *ibid.*, p. 90.

⁶⁶ "Opinion of the Spanish Council of State," pr. in *ibid.*, app. 385-8.

⁶⁷ Paulucci to Sagredo, Feb. 25/Mar. 7, *Cal. S. P. Ven.* (1653-4), p. 190.

⁶⁸ *Perf. Diurn.*, Feb. 23; Sagredo to Doge, Feb. 28/Mar. 10, *Cal. S. P. Ven.* (1653-4), p. 190.

⁶⁹ Letter of intelligence, Feb. 22/Mar. 4, in Thurloe, ii, 108. The same letter reported that M. de Clérembaut was ready to go if Bordeaux was not received.

for the position.⁷⁰ Despite doubts as to his reception, however, Bordeaux, the thirty-two year old son of a wealthy merchant family, was appointed, and received his credentials on February 20⁷¹ together with a letter of congratulation to the Protector on the act of "divine Providence" which had elevated him to the "*grandeur où vous êtes pour le bien de l'Angleterre, l'Ecosse et l'Irlande, j'en ai toute la joie qu'on en peut avoir.*"⁷² Four days later Bordeaux asked for an audience.⁷³ On the last day of February he greeted Mazarin's good-will envoy, de Baas, who now returned with full instructions for the ambassador. They included orders to recognize the Protectorate, to offer the assistance of four thousand horse if England would besiege Dunkirk and promise to distract the Spaniards by a simultaneous attack upon another town;⁷⁴ and Bordeaux and de Baas were jointly given power to enter into a trade agreement with England at once.

Such was Mazarin's retort to the Spanish negotiation, but if he hoped that his envoys would be received with open arms he was mistaken, for the Protector was as skeptical of Mazarin's good faith as he was of Spain's ability to pay, and Lambert was openly hostile to France. Oliver conveniently found no time to receive de Baas until March 5 and shortly thereafter begged to be excused from an audience with Bordeaux because of ill-health, an excuse which was possibly genuine enough, though he was able to walk in the Park and entertain the Dutch envoys.⁷⁵

That Cromwell was preoccupied with the Dutch to the neglect of the French was not surprising for, despite renewed naval preparations,⁷⁶ the long-sought understanding with the Netherlands seemed close at hand. His refusal to enter into serious negotiations with Beverning until the States General had formally recognized the Protectorate had been communicated to the Dutch government and had produced immediate results. Nieupoort and Jongestal were ordered to rejoin Beverning and all three were named as ambassadors extraordinary to the Protector.⁷⁷ Pending their arrival Beverning had asked that a committee be appointed

⁷⁰ *Perf. Diurn.*, Feb. 8.

⁷¹ Bordeaux to Brienne, Feb. 20/Mar. 2, in Guizot, *Cromwell*, ii, 389-91.

⁷² Jusserand, *Recueil des Instructions*, "Angleterre," i, 173-4.

⁷³ Thurloe, ii, 113.

⁷⁴ Mentioned in Bordeaux's instructions dated July 6/16, 1654, pr. in Guizot, *Cromwell*, ii, 394-7.

⁷⁵ Gardiner, *Comm. and Prot.*, ii, 121-2, from Bordeaux's and de Baas' despatches in R. O. Transcripts. As to Cromwell's health, Whitehorne's letter from Sweden dated March 31 notes, "I am very sorry my master continues ill." Thurloe, ii, 204.

⁷⁶ New ships were building, the fleet was gathering in the Thames and press gangs seized 200 sailors. *Cal. S. P. Ven.* (1653-4), p. 191. An ordinance continuing the Act for impressing seamen was passed on Mar. 22. *Perf. Diurn.*, Mar. 11, notes the drafting of seamen and the transfer of soldiers to ships.

⁷⁷ *Verbael*, pp. 297-304.

to discuss the wording of a treaty, but Cromwell refused on the ground that the matter had already been settled.⁷⁸ However, when it became known on February 23 that the other two ambassadors would arrive shortly, the Council of State sent Thurloe to request Cromwell's presence at its meeting on the afternoon of the 24th to consider the situation.⁷⁹

Beverning's colleagues, with some eighty attendants, arrived at Gravesend on February 25.⁸⁰ Met by the Master of Ceremonies, they were conducted by water to Tower Wharf where the ambassadors and their retinue were transferred to coaches and so carried to Westminster. Every effort was made to impress them with the good-will of the English people and government. The Protector sent his own coach-and-six, with ten footmen, and other dignitaries followed his example. The imposing procession of nearly a hundred coaches made its way through streets lined with shouting throngs. After the delegation sent from the Council to welcome the Dutch envoys there rode the ambassadors from France and Portugal and the Swedish minister. Cardenas sent his excuses.⁸¹ Thus they came to the house of Sir Abraham Williams in Palace Yard where for four days the Dutch envoys were entertained sumptuously, two or three members of the Council being assigned to act as hosts at each of seven meals, until on the afternoon of Monday, March 6, the envoys moved to a private house.⁸²

On the following Saturday they had their first audience with the Protector and his Council in the Banqueting Hall in Whitehall, now restored and richly hung with pictures and tapestries.⁸³ There the floor and galleries were packed with people crowding to witness the ceremony. On the entrance of the Protector, his Council, his Master of Horse, Claypole, and Secretary Thurloe all' heads were uncovered, and Cromwell recognized the salutations by removing his hat. He ascended the dais and stood before the chair of state surrounded by his attendants and there awaited the ambassadors who were conducted through a lane in the crowd. While he waited, he looked about at the pictures on the wall, and it was whispered that he seemed unfamiliar with Titian's hand.⁸⁴ As the ambassadors approached him, they doffed their hats two or three times and his Highness did likewise. When they reached him, they bowed to him and to each other and resumed their hats. Jongestal delivered a short address, and the Protector replied, amid more doffing of hats; and when the ceremony was over the ambassadors retired and Cromwell and his

⁷⁸ Macray, ii, 321; Thurloe, ii, 153.

⁷⁹ *Perf. Diurn.*, Feb. 25; *Cal. S. P. Dom.* (1653-4), p. 419.

⁸⁰ *Perf. Diurn.*, Feb. 27; *Merc. Pol.*; *Sev. Proc.*, Feb. 27.

⁸¹ *Verbael*, p. 313; *Cal. S. P. Ven.* (1653-4), p. 193; *The Whole Manner of the Treaty*.

⁸² *Verbael*, pp. 314-6.

⁸³ *Ibid.*, p. 315; *Perf. Diurn.*, Mar. 4; *Merc. Pol.*, Mar. 4.

⁸⁴ Intercepted letter, Mar. 6, Thurloe, ii, 144.

attendants went out through the private door by which they had entered.⁸⁵

As regal ceremony once more found a place in Whitehall, the Protector became the subject of much the same criticism as that which had been aimed at Charles I years before. Vavasour Powell and another preacher, John Williams, denounced him before a great audience at New Radnor in Wales, declaring that he was the "protector" of slavery and popery and that his days as a ruler were numbered.⁸⁶ On the other hand the Protector received a letter of congratulation from Gloucester among whose signers was the old Speaker Lenthall, once Chancellor of the Duchy of Lancaster.⁸⁷ And at this moment a group of officers in Ireland signed a paper requesting him to send able ministers thither, as they said — hopefully if mistakenly — to convert the Irish and to establish harmony there.⁸⁸

Among the various items of business which accompanied the arrival of the Dutch envoys, on February 25 the Protector referred several petitions to the Council of State;⁸⁹ on the 27th approved of fourteen orders and ordinances; and on the next day an ordinance for reviving the jurisdiction of the County Palatine of Lancaster, which had been earlier returned with the addition of the name of a Commissioner for the Seal, was finally approved and published.⁹⁰ On that day, also, the Council voted to consult with him as to the method of presentation of the medals prepared for the Generals of the fleet.⁹¹ On February 28 several ministers including Owen, Thomas Goodwin, Sydrach Simpson and Nye were with Cromwell,⁹² apparently to consult with him on a religious settlement.

Nor were these all the evidences of the recognition of his new authority. Two days before the arrival of the Dutch envoys, he received Don Francisco Romero Villaquirean,⁹³ captain of the guard to the Archduke Leopold of Austria, sent to congratulate him on his accession to power. Don Romero came as the bearer of good tidings, for he announced Leopold's recent action in imprisoning Duke Charles of Lorraine whom

⁸⁵ *Whole Manner of the Treaty.*

⁸⁶ Robert Holle to Alex. Griffiths, Mar. 2; Chas. Roberts to John Gunter. Thurloe, ii, 128-9.

⁸⁷ *Sev. Proc.*, Feb. 28.

⁸⁸ Thurloe, ii, 117-8.

⁸⁹ *Sev. Proc.*, Feb. 25. During February the Council read 23 petitions referred to them by the Protector; during March the number increased to 56; and in April the number was nearly as large. *Cal. S. P. Dom.*, *passim*.

⁹⁰ *Cal. S. P. Dom.* (1653-4), p. 425. In *Perf. Diurn.*, Feb. 28; *Merc. Pol.*, March 2-9.

⁹¹ *Cal. S. P. Dom.* (1653-4), p. 425. The three Generals left London for the fleet soon afterward.

⁹² *Sev. Proc.*, Feb. 28.

⁹³ His letter to Thurloe announcing his arrival is dated Mar. 8 but should be Feb. 26/Mar. 8 (Thurloe, ii, 145). See Whitelocke, *Swedish Embassy*, i, 528.

he had been sheltering from the French, and the intention of establishing Charles' younger brother, Francis, as head of the house of Lorraine, much as Mazarin had lately recognized the Prince of Conti in place of his brother Condé, Leopold's ally.⁹⁴ The Archduke's emissary did not omit to mention Charles of Lorraine's friendly dealings with Charles II and his proposals to make a treaty looking to the restoration of the Stuart monarchy. Nor did he fail to bring forward the old question of the Hamburg silver ships whose cargoes had been seized by the Commonwealth and part of which was claimed by subjects of the Archduke.⁹⁵

It is apparent from these various items of foreign negotiations that Europe was gradually settling down after the storm of the Thirty Years' War, the Fronde, and the English revolution. Hapsburg and Bourbon, united in nothing else, were removing the leading elements of disorder within their own territories and along their borders. They were making friendly advances to the Protector, who in his turn was about to bring the Anglo-Dutch war to an end and make peace with Portugal, so that the harassed peoples of western Europe could presumably look forward to carrying on their affairs in relative peace. Only the borderland between the Netherlands and France remained a danger-point and for the moment the Franco-Spanish quarrel was of little concern to England. In consequence the Protector found his hands freed more and more to settle his own government and to that he bent his best efforts.

Of the measures to restore peace and as much unity as was compatible with the maintenance of his power, two were of first importance. The one was the question of the settlement of the ministry and on the first day of March — the only time during that month that Cromwell attended the meetings of the Council — that question was raised. As a result of the discussion a committee was ordered to meet with the ministers with whom Cromwell had talked the day before to consider the matter.⁹⁶ This was presently settled by an ordinance of March 18 establishing a commission of thirty-eight members including most of the more eminent ministers, besides the provost of Eton, Rous, and Colonels Tichborne, Goffe and Packer.⁹⁷ Such was the first step in the reorganization of the church under the Protectorate.

The next piece of business was perhaps introduced by Oliver himself

⁹⁴ Leopold's public declaration of his reasons, dated Feb. 25, was published in English newspapers early in March. The imprisoned Duke's chief offence at this time was his treachery to Condé.

⁹⁵ Bernardi's despatch Mar. 2 (should be Mar. 12/22), 1653-4, in *Atti della Soc. Ligure di St. Patria*, xvi, 151; Paulucci to Sagredo, Mar. 5/15, in *Cal. S. P. Ven.* (1653-4), p. 192. *Perf. Diurn.*, *Sev. Proc.* and *Merc. Pol.* Mar. 2.

⁹⁶ *Cal. S. P. Dom.* (1654), p. 1. A petition from Herefordshire asking Cromwell for a godly minister was published in *Sev. Proc.*, Mar. 1.

⁹⁷ Firth and Rait, ii, 855. Pr. also in *Perf. Diurn.* and *Merc. Pol.*

who was exerting every effort to bring back into public life as many Royalists and old Parliamentarians as could be induced to serve under him. The matter came up at this moment, apparently, by a petition from Sir John Glanville, serjeant-at-law, sometime Speaker of the Short Parliament in 1640, disabled by the Long Parliament in 1645 and imprisoned until 1648 when he gave up a fifth of his rents as composition for his fine as a delinquent. He now asked, apparently, to be allowed to resume his practice, but though his case was investigated it was not acted on for some months.⁹⁸ None the less the fact that it was considered at all showed the trend of the times. News of the Protector's attempts to win back old enemies reached Paris, whence Hyde was moved to write that "Cromwell proceeds with strange dexterity towards the reconciling all kinds of persons, and chooses out those of all parties whose abilities are most eminent. He has sent a pass to Mr. Hollis, has given Lord Rothes his liberty⁹⁹ and estate, and restored Sir John Stawell to his fortune."¹⁰⁰

As the same time, apparently, if one may judge from one document which has been made public, he turned his attention to the appointment of justices of the peace and so further secured his hold on the country:

Commission of the Peace for the County of Devon

March 4, 1653/4

Oliver, Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, To our trusty and well-beloved

Bulstrode Whitelocke, Richard Keble, John Lisle, Lords Commissioners of the Great Seal of England; John Desborowe, Francis Rouse, Philip Skippon, Esquires, of our Council; Henry Rolle, Chief Justice, assigned to hold Pleas before us in the Upper Bench; William Lenthall, Master of the Rolls; Oliver St. John, Chief Justice of the Common Bench; John Glyn, Serjeant-at-Law; John Bradshawe, Chief Justice of Chester; Edmond Prideaux, our Attorney-General; (and 62 others named).¹⁰¹

To these matters of business succeeded two others of very different character. The first was a conference with the Mayor, Recorder and Clerk of London and the steward, bailiff and burgesses of Westminster in regard to a proposal to incorporate Westminster as a separate municipality.¹⁰² That proposal arose apparently from the peculiar position in which Westminster found itself under the new régime. As the title of its officials implied, it had been a royal domain but with the establishment of a government something less than regal but more personal than national, its position became anomalous and needed readjustment to the

⁹⁸ *Cal. S. P. Dom.* (1654), pp. 1, 17, 203.

⁹⁹ See *ibid.*, p. 376, for extension of Rothes' liberty.

¹⁰⁰ Hyde to Rochester, Mar. 4/14, in Macray, ii, 323.

¹⁰¹ *Devonshire Association, Reports and Transactions*, x, 313-4; cp. also *ibid.*, xlviij, 340.

¹⁰² *Sev. Proc.; Perf. Diurn.*, March 1.

altered situation, though, in fact, it was not to be erected into full status as a city for nearly two centuries and a half. The second item of business which involved the Protector was the summoning of the Committee for Irish Adventurers to meet on the following day and he promised to attend if possible.¹⁰³

His hesitation in committing himself, like his infrequent attendance on the meetings of the Council, is understandable in view of the mass of business which pressed upon him. Among the many documents which waited his signature in these days,¹⁰⁴ warrants, orders, ordinances, pardons and the like, there are nine passports, of which some are of more than routine interest. Captains Claes Zanger of Zealand and Paul van de Kerckhoven commanders of vessels which had brought the Dutch envoys to England were permitted to return home.¹⁰⁵ Henry Seymour, who had been in England for three years as agent for Charles II, was allowed to go to France but on June 17th he was back in England, in the Tower charged with high treason.¹⁰⁶ John Tracy who petitioned in August for leave to import 9,000 Bibles and other books which had been stored in Dunkirk for twelve years and could not be brought in after the Civil War on account of the Stationers' Act, was given permission to travel in France.¹⁰⁷

The very enumeration of the documents which came before him for his signature indicates the amount and variety of business with which he had to deal while he was engaged in greater affairs which demanded his personal attention. Among them was the question of Scotland. Of all his correspondents at this time, its commander, Colonel Lilburne, was probably the most faithful if not, indeed, the most irritating. Though the details of his troubles were communicated to Lambert rather than to the Protector, he sent to the latter his general observations and complaints as to the situation in Scotland and the inadequacy of the English forces there, news of Royalist activities, and urged the importance of acts of

¹⁰³ *Cal. S. P. Dom.* (1654), p. 1.

¹⁰⁴ One is noted as a warrant dated Feb. 16, 1653(-4) signed "Oliver P." to pay the individuals whose names are noted on the reverse the sums set against their names. Amer. Art Ass'n cat., May 11, 1916, item 186; *Am. Book Prices Current*, 1916, p. 857.

¹⁰⁵ Dated Mar. 6 and 8. *Rawl. MSS.*, A328, ff. 4-5.

¹⁰⁶ Pass in *ibid.* On May 19/29 Hyde wrote Nicholes that Seymour had come to France only on private business with a pass from Cromwell and therefore "comes not near the King," but Seymour had brought with him money for Charles. Macray, ii, 358, 362.

¹⁰⁷ *Rawl. MSS.*, A328, ff. 4ff. Passports Mar. 4 for Sir William Wiseman, Bart. and two servants, to France; Mar. 6 and 8 for Zanger and Kerckhoven to Holland; Mar. 8 for Arijvan Stavern to Holland with a fishing boat; Henry Seymour to France; Mar. 8 (?) for John Tracy to France; Mar. 9 for Lady Boswell to Holland and Johan Theodore Borchloom to Holland. Also a pardon for Nicholas Dothwaite, prisoner in the Gatehouse.

general pardon and of union.¹⁰⁸ Thus advised by Lilburne and the intelligence service on the Continent, about the middle of February Oliver sent orders to the Scotch commander to have all men-of-war keep a sharp lookout for Middleton who was expected to land in Scotland to join the Glencairn rising.¹⁰⁹ The Scotch situation seemed so threatening that it was decided to replace Lilburne with Monk¹¹⁰ and to cancel the leaves of all officers stationed there.¹¹¹ And inasmuch as the pay of the soldiers was four months in arrears, in the latter part of March the Protector and Council had a conference to discuss the raising of money for that purpose.¹¹²

The Scotch situation was the more threatening since it had changed for the worse under Lilburne's administration. For some time after the defeat of the Scottish armies, the English had enjoyed the friendship of that faction of ministers known as the "Remonstrants," who had been opposed to treating with or serving an "uncovenanted" king like Charles II and had been of some assistance to Cromwell in his conquest of Scotland. But even these had been antagonized by Lilburne's dissolution of the General Assembly of the church on account of its Royalist sympathies. Though the Remonstrants had not been included in Lilburne's description of the ministers as "trumpets of sedition" many of them, antagonized by the dismissal of the Assembly, wavered in their loyalty to their new master.¹¹³ Among them the most eminent was Patrick Gillespie who had been appointed principal of Glasgow University by Cromwell against the protests of the faculty, who contended that the election belonged to them, that he was not fitted by his learning for the post and that he had been deposed from the ministry. It was now proposed to send him to the Protector to discuss the situation. Oliver not only welcomed the projected visit but decided to send also for two other ministers who had transferred their sympathies in 1651 after discussions with him. This decision was prompted by the fact that the ordinance for appointing a Commission for Public Preachers was then under consideration by the Council of State, and he may have had some idea that the same principle might be extended to Scotland. In consequence, on March 7 the Protector wrote to Lilburne notifying him that he had summoned Gillespie, Livingston and Menzies to discuss the situation, ordering him to pay their expenses and warning him not to make the matter public:

¹⁰⁸ Firth, *Scotland and the Protectorate* (Edinb., 1899), *passim*.

¹⁰⁹ Lilburne's letter of acknowledgement, Feb. 16, Thurloe, ii, 95.

¹¹⁰ Reported by Beverning on Feb. 3, *ibid.*, p. 67.

¹¹¹ *Merc. Pol.*, Mar. 9-16. Lilburne urged this on Mar. 11. Firth, *Scotland and the Protectorate*, p. 56.

¹¹² *Cal. S. P. Dom.* (1654), pp. 35-6. Lambert and Cromwell conferred on Scotch affairs in general. *Ibid.*, p. 36.

¹¹³ Lilburne to Cromwell, Feb. 7, Firth, *Scotland and the Protectorate*, p. 41.

For the Honourable Colonel [Robert] Lilburne, Commander-in-Chief of the Forces in Scotland

SIR,

Having some occasion to speak with some godly ministers and Christians to accommodate the interest and to beget a good understanding between the people of God of different judgments in this nation; and remembering well you did once hint to me some purpose of Mr. Patrick Gilasbie's thoughts to come up hither, in order (as I suppose) to somewhat relating to the people of God in Scotland; I have thought fit to require the coming up of Mr. John Livingston, Mr. Patrick Gilasby and Mr. John Meinzes, to which purpose I have here enclosed sent to each of them a letter appointing them the time of their appearance here. I desire you to speed their letters to them, especially to Mr. John Meinzes, who is so far remote as Aberdeen. I desire you to let them have 20*l.* apiece to defray the charges of their journey; let it be out of the Treasury in Scotland. Not doubting of your care and diligence herein, I rest,

Your loving friend,

OLIVER P.

Cockpit, 7th of March, 1653 [-4].

I desire you to continue your care to look out after Middleton upon the coast, for I hear he was driven back by foul weather.

I desire you not to make too public the ends of sending for these gentlemen.¹¹⁴

Lilburne replied on March 16 that he had given their letters to Gillespie and Livingston and sent Menzies' to him, and that the two former had seemed "to be somewhat sensible" that it might be "a good providence calling them" and were prepared to go.¹¹⁵ Thus characteristically, as he had earlier combined war and controversy to conquer Scotland, the Protector now despatched Monk and summoned the ministers, to quiet the country by a union of arms and argument.

From the consideration of Scottish affairs Cromwell turned to those of Ireland. He had called home from there Treasurers Francis Allen and James Standish, probably to hear their reports, but on hearing of Henry Cromwell's expected arrival they took the liberty of ignoring for the moment Cromwell's orders.¹¹⁶ On March 8 he conferred authority on John Reynolds, Commissary-General of Ireland, and Colonel Hewson, both of whom were at that moment in England; and Captain John Blackwell, Treasurer-at-War; Captain Joseph Deane; and William Rowe of the Irish Scotch Committee, to examine and report on the ac-

¹¹⁴ Lomas-Carlyle, Suppl. 86, from *Egerton MSS.*, 2620, f. 11. Signed by Cromwell and endorsed by William Clarke.

¹¹⁵ Firth, *Scotland and the Protectorate*, p. 57.

¹¹⁶ *Merc. Pol.*, Mar. 9-16.

counts of all persons under contract to furnish provisions for Ireland.¹¹⁷ Meanwhile he ordered the release from the Tower of one John Archer¹¹⁸ who had been arrested in February with the ten other conspirators in a London tavern. He was not, however, liberated until September and then on security.¹¹⁹ There were other complaints, including counterfeiting as well as treason,¹²⁰ and on March 11 the Protector signed a warrant for the apprehension of one William Lodge, who was probably a Norfolk man.¹²¹

Among such details of his office there was another type of warrant which seems to have required the Protector's signature, to validate the importation of goods, wines and food free of customs and excise duties for the use of foreign agents. Of these documents which came in once or twice a month, one example may serve for all:

*(To the Commissioners for the Customs)*¹²²

OLIVER P.

These are to will and require you to permit and suffer Mons. Barrière, Agent of the Prince of Condé, to import, take up and dispose of for his own proper use, fifteen tuns of French wine excise free, and without any other your lets, hindrances, or molestations. Of which you are not to fail and for which this shall be your warrant.

Given at Whitehall this 13th of March, 1653 [-4].¹²³

The next matter which claimed the Protector's attention was that of the Dutch treaty. Almost immediately after he had received the Dutch ambassadors they had sent to Cromwell a formal request in Latin for the appointment of commissioners with whom they might collaborate in putting the treaty in final shape for signing.¹²⁴ Beverning had earlier been refused such a request on the ground that the articles needed only to be

¹¹⁷ Copy in *Rawl. MSS.*, A328, f. 6. By order of June 13 (*ibid.*, f. 71) Cromwell referred their report to Council.

¹¹⁸ *Cal. S. P. Dom.* (1654), p. 12.

¹¹⁹ *Ibid.*, p. 353.

¹²⁰ Appletree to Cromwell, Mar. 13, in Thurloe, ii, 164-5.

¹²¹ In Registers of the Corp. of Thetford, Norfolk, vol. 8; cal. in *Hist. MSS. Comm. Repts., Various Collections*, vii, 145.

¹²² The original does not indicate the addressee, but in *Rawl. MSS.*, A328, f. 14, is a copy of this order addressed to the Commissioners of the Customs and another exactly like it to the Commissioners of the Excise.

¹²³ Original in the Pierpont Morgan Library, New York. Cromwell also received wine for his household duty free. On March 13, the Council ordered the Prize Goods Commissioners to deliver to his servant, Kirby, five tuns of French wine; on the 28th they issued a pass for a ship laden with 40 tuns; and on April 22 the Customs Commissioners agreed that 40 more could be allowed him without making trouble by causing others to demand the right to import great quantities (*Cal. S. P. Dom.* (1654), pp. 66, 83, 112, 433, 434).

¹²⁴ Dated March 5. In Thurloe, ii, 143.

copied,¹²⁵ but with the arrival of his colleagues and the receipt on March 4 of a Dutch copy of the articles, Oliver withdrew his objections and on March 8 appointed six members of the Council of State to represent England in the matter.¹²⁶ The Dutch ambassadors were impatient to meet the commissioners but the English refused to be hurried¹²⁷ and it was not until March 13 that the Council drafted a commission for their six representatives which on the next day was signed by Oliver and sealed with the new Great Seal:

*Appointment of Commissioners to Conclude a Treaty with the
United Provinces*

Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland, etc. To all and everyone whom it concerns and whom these presents shall reach, greeting:

Know that whereas the High and Potent Lords, the States-General of the United Provinces, have sent and despatched to us their Plenipotentiaries and Ambassadors, provided and instructed with adequate authority, for this reason in order that they may devise and contract a firm peace, union, and alliance with us; now we, out of a pious and Christian consideration of this war and of the evils which will ensue therefrom, not only with regard to the nations involved in it, which are bound by every tie of Religion and humanity reciprocally to succor and protect each other, but also with regard to the common cause and interests of the Christian World, desiring still to continue our sedulous and sincere endeavors, just as from the very beginning of the war our side has never neglected anything whereby not only this war might be settled and finished, but also a sincere and permanent peace, a trustworthy amity, and a more intimate relationship might be introduced and established between us and the above mentioned States General.

Fully convinced of the probity, loyalty, prudence, and circumspection of our beloved Henry Lawrence, Lord President of our Council; John Lambert, Major-General of the Armies of this Commonwealth; Philip Viscount Lisle; Gilbert Pickering, Baronet; Edward Montagu, Esquire; Walter Strickland, Esquire, Lords of our Council: by these presents we appoint, constitute and ordain these men our true and undoubted Commissioners, Agents, and deputies; giving and granting them or the major part of them, when the others are absent or kept from the agreement of our Council, by tenor of these presents, the plenary authority, faculty and power, and a general and special mandate, of concluding, contracting and establishing for us and our successors, with Jerome van Beverningh, one of the Lords States-General; William Nieupoort, Counsellor and Treasurer General of northern Holland and Pensionary of the town of Schiedam, Allardus-Petrus Jongestal, Counsellor Ordinary in the Court of Justice for the Province of Friesland and Curator of the University of Franeker, the above mentioned Ambassadors and Plenipotentiaries from the side of the States-General of Allied Belgium, a firm peace, relationship, bond,

¹²⁵ *Ibid.*, p. 153.

¹²⁶ *Merc. Pol.*, March 2-9; Thurloe, ii, 154; *Verbael*, p. 316.

¹²⁷ *Ibid.*, pp. 316-7.

amity, trade and intercourse between us and the above mentioned States; likewise of concluding and finally settling, — under those methods, heads, forms, promises, warranties and securities which they might consider should be required for the true observance of the agreements, — all processes, suits, and quarrels which are known to be pending on both sides. And whatever our aforesaid Commissioners shall decide, conclude, or agree upon with the aforesaid Ambassadors of the Lords States-General, we promise in good faith, firmly binding ourselves and our successors by these presents, to observe, aid, and ratify all this as if we were ourselves present; in testimony of which thing we have signed these our letters-patent with our own hand, and have caused the Great Seal of England to be affixed to them.

Given from Whitehall on the fourteenth of March, 1653/4.

OLIVER P.¹²⁸

The following afternoon the nine men set to work at the residence of the ambassadors,¹²⁹ and so began a series of conferences during which every word of the treaty was carefully weighed and agreed upon. What effect, if any, this had on the errand of the agent of Archduke Leopold is not apparent, for aside from the report in Brussels that he got what he wanted and that Leopold and the Prince of Condé had discussed the matter with satisfaction,¹³⁰ there is nothing to indicate what he accomplished. The day the English and Dutch began meeting, however, having signed a safe conduct addressed to all ship captains at Dover or in the Downs, for Don Francisco,¹³¹ the Protector provided him with a letter to take back to Flanders:¹³²

To His Imperial Highness Leopold, Archduke of Austria, Duke of Burgundy &c., Lieutenant Governor & Captain General of the Low Countries and - Burgundy

SIR,

The letters which you were pleased to send to me by Don Francisco Romero de Villaquiran I have received with that contentment which so singular a favour deserves, and upon the return of the aforesaid gentleman unto you, hold myself obliged to give your Highness thanks, and to assure you of my readiness to answer, and make real returns of the good will and affection which you upon this occasion have expressed towards me. I heartily wish happiness and prosperity to your Highness.

Your affectionate friend to serve you,
OLIVER P.¹³³

Whitehall,

15 Mar. 1653.

¹²⁸ MS copy of Latin original in *Algemeen Rijksarchief*, Leg. Arch. 789; Latin pr. in *Verbael*, pp. 318-9. Transl. in *Coll. of Treatys* (1732), iii, 80-81.

¹²⁹ *Merc. Pol.*, Mar. 9-16.

¹³⁰ *Thurloe*, ii, 146.

¹³¹ Copy in *Rawl. MSS.*, A328, f. 7. On March 17 Cromwell signed a permit for him to take six horses. *Ibid.*, ff. 10-11.

¹³² He had taken leave of Cromwell by March 16. *Sev. Proc.*, Mar. 16.

¹³³ Contemporary copies are in *Rawl. MSS.*, A261, f. 8v; and *ibid.*, A328, f. 9.

On the next day Cromwell signed an order to pay Sir Gilbert Pickering £50 to be used for the relief of John Blarru, late deputy from Bordeaux.¹³⁴

In such fashion Cromwell entered upon his "regality," recognized by the princes of Europe, if not precisely on complete equality at least to a degree as would have been all but inconceivable a few years earlier. To fit the ceremonial to his position had not been easy. To that task the old Master of Ceremonies had addressed himself with energy and success and under his guidance and that of others the Protectoral court had taken on form and ceremony. One step remained, however, the residence of the new ruler, who until this time had kept his old quarters as General of the army in the Cockpit. For various reasons, chiefly the fact that it seemed unfitting for the Protector to live in what was proper for the head of the army, that question was now taken up seriously.

This involved, among other things, the enlistment of new officials, and the chief officer of the wardrobe of the late King, Clement Kinnersley, applied for employment in his former capacity, and though his claim was disputed by a certain William Legge, Kinnersley was authorized on February 21 to follow the instructions of her Highness, Lady Cromwell, in furnishing the apartments in Whitehall set aside for the Protector's use.¹³⁵ With this went an order to seek out all the goods belonging to the state which would be useful in furnishing the palace.¹³⁶ Kinnersley had gone to work at once with such effect that the Protector's apartments were nearly ready for occupancy within three weeks.¹³⁷ This put a fresh burden on Mrs. — or, as she was now called — Lady Cromwell, who, though at first unwilling to move from the Cockpit, was soon reconciled to the situation which she presently came to enjoy very much, however the Royalist satirists insisted on her lack of fitness for the position of the first lady of the land, chiefly on account of her frugality which they regarded as parsimony.¹³⁸ She had kept house for her husband when he was a poor grazier in St. Ives, in Ely, in London when he was away with the army and in Parliament, in Dublin and Youghal, when he com-

A copy of Cromwell's warrant, Mar. 8, to ship captains at Dover or in the Downs to take Romero to Flanders, is in *Rawl. MSS.*, A328, f. 7. A permit for Romero to take six horses was signed by Council on March 17. *Ibid.*, ff. 10-11.

¹³⁴ Contemporary copy in *ibid.*, f. 37.

¹³⁵ *Cal. S. P. Dom.* (1654), pp. 394-5. Legge's claim was an annoyance to Kinnersley as late as the following November, impairing his credit when he badly needed it, having had no salary for six months. *Ibid.*

¹³⁶ Feb. 23. *Ibid.*, p. 415.

¹³⁷ On March 15 Cromwell was expected to move at the end of the week. *Merc. Pol.*, Mar. 9-16.

¹³⁸ *The Court and Kitchen of Elizabeth, commonly called Joan Cromwell*, pr. as App. in Scott, *Secret History of James I* (1811).

manded in Ireland, and in the Cockpit when he was all but ruler of England, and she continued to keep house for him when he was Protector. On the other hand, Cromwell's mother, too old to be impressed with her son's new dignity, and so fearful of his danger that she never heard a musket-shot without being afraid it was directed at him, objected to the move.¹³⁹ The Protector's daughters, on the other hand, approved of the change, with the personal servants and clothes which went with it,¹⁴⁰ though it affected his son Richard little if at all, and Henry not much more. But the move from the Cockpit to Whitehall was not all of the change which now took place. Besides the creation of a court appropriate to his new dignity, on March 16 Embree, surveyor of works, was ordered to clear the Mews and Hampton Court for the Protector's use and to deliver the keys to Claypole.¹⁴¹ This arranged, although the family did not move in immediately, the Protector spent his first night in Whitehall on March 17, in the apartments formerly occupied by the Queen, and though ill with a cold rode out the next morning with some members of the Council in St. James's Park.¹⁴²

Thus established with the forms as well as the substance of power, the Protector went on with the routine business of his office. On the day before he first slept in his new residence, there was published an ordinance for continuing the excise for another year,¹⁴³ and three days later he approved of six others, five of which were published. Of these, two were financial — one for continuing the customs for four years, the other continuing the act imposing duties on coal, the proceeds to be used for maintenance of the fleet. Of the others, the first vested in the Protector the old royal right of signing the bills for custody of lunatics and idiots which more recently had been the prerogative of the Council. The second, arising from complaints from Dublin that the late treason ordinance prevented proceedings against instigators of murder,¹⁴⁴ declared that proceedings in cases of murder should be prosecuted as before. The last of these ordinances, and in some ways the most important, established a commission of "Triers" for public preachers¹⁴⁵ as the first formal step in church reorganization. The unpublished ordinance merely charged the salaries of the judges to the customs receipts,¹⁴⁶ as a matter of administrative detail.

Two of those judges had just liberated on a writ of *habeas corpus* a

¹³⁹ Ludlow, *Memoirs*, i, 379.

¹⁴⁰ *Court and Kitchen*, p. 491.

¹⁴¹ *Cal. S. P. Dom.* (1654), p. 32.

¹⁴² *Sev. Proc.*, March 16-23. Apparently he did not actually move into Whitehall until April 14 (*ibid.*, Apr. 14). ¹⁴³ Firth and Rait, ii, 845-53.

¹⁴⁴ Thurloe, ii, 148; *Merc. Pol.* Mar. 30-Apr. 6.

¹⁴⁵ Newspapers, and Firth and Rait, ii, 854-8; addresses to Cromwell from York and Coventry to congratulate him and to ask for the appointment of godly ministers were published in *Merc. Pol.*, Mar. 30-Apr. 6.

¹⁴⁶ *Cal. S. P. Dom.* (1654), pp. 12, 40.

prisoner held by the Nominated Parliament, but were saved from being faced with the same necessity in the case of John Lilburne. Captain John Streeter who had attacked Cromwell for dissolving the Long Parliament in *Ten Queries*, and opposed control of the army by a single person in a pamphlet entitled the *Grand Politic Informer*, had been arrested by order of the Council and been denied a writ of *habeas corpus* by the Nominated Parliament. That Parliament had now been dissolved and Streeter had again applied for a writ of *habeas corpus* on the ground that the body which imprisoned him was no longer in existence. The judges of the Upper Bench, however reluctantly, ruled on February 7 that he could no longer be held; and the Council of State, perceiving that Lilburne could be released on the same grounds, hastily determined to remove him to a place where such a writ was inoperative. On March 23, therefore, it ordered that Lilburne be transferred to Jersey, whence Cromwell alone could release him, and when his friends presently applied for a writ of *habeas corpus*, Heane, the governor of the island, doubtless instructed from above, declined to consider it, and, deprived of ink, pen and paper, there he remained.¹⁴⁷

Like all such Council documents, the order for Lilburne's removal to Jersey was signed by the Protector, and among the many papers which required his signature at this time, were passports for two Dutchmen, Jan Gerritsen van Schedam and Arij Lambertsen van Staveren on March 16 and 22; for Sir Thomas Lenthrop to go to France, on March 17; and for the grandson of the Earl of Warwick, young Robert Rich, later to become Cromwell's son-in-law, bound for France to travel with his tutor and servant.¹⁴⁸ Of more importance was a passport for a certain Peter Rychaut, who on March 20 was empowered to go where his business required. That business was urgent, for his father Sir Peter, a Spanish subject, had lent money to the kings of England and of Spain and his interests had been very large until he was ruined — or at least severely crippled — by his support of the royal cause. The sons of the elder Rychaut had tried in vain to get letters of marque from Cromwell to recover the money owed their father by the Spanish king, but had succeeded in securing the assignment of wool in the ships seized by England whose cargoes of silver had brought so many protests from the Spanish government, against the £20,000 owed by Philip IV. Even here they were unfortunate for an order was given to turn the wool over to Cardenas, but this was not the end of the matter, for the four brothers Rychaut and their claims were later the subject of at least two letters from Oliver to the Spanish king.¹⁴⁹

¹⁴⁷ *Ibid.*, pp. 34, 50; *Perf. Diurn.*, May 20, 29; *Sev. Proc.*, May 30. Hyde to Clement, Apr. 28/May 8, 1654, Macray, ii, 351.

¹⁴⁸ *Rawl. MSS.*, A328, ff. 10-12.

¹⁴⁹ *Ibid.*, f. 11. See Thurloe, ii, 187-9; and *infra*, July 4, 1654, Apr. 30, 1655.

Another document of this period brought once more into relief the new Protectoral prerogative of presentation to a benefice and incidentally revealed the situation of many ministers in these disturbed times. The Reverend Thomas Johnson, in whose behalf it was issued, was an Oxford M.A., a "godly and orthodox divine," who had been in charge of the parish of Halsall since 1645, though for a number of years, in accordance with a common custom, he had been required to pay a tenth of the tithes to the wife of the ejected Royalist incumbent, Peter Travers:¹⁵⁰

To the Commissioners of the Great Seal

OLIVER P.

To our Trusty and well beloved the Lords Commissioners for the Custody of the great Seal of England: We command you, that under the great Seal of England these our letters you make patents in the form following:

Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland and the Dominions thereto belonging, To all persons who have or shall have sufficient authority, or power in this behalf, Greeting. We present Thomas Johnson Master of Arts to the Rectory of Halsall in the County of Lancaster, and to our presentation of full right belonging, commanding and requiring you forthwith to admit the said Thomas Johnson to the Rectory of Halsall aforesaid. And that you truly, and lawfully institute him rector there, and that you likewise invest him with all his rights, member, and appurtenances whatsoever, and that you do, and fully accomplish all and every the singular acts which your office obligeth you to discharge therein.

Given at Whitehall, this 21th of March 1653.¹⁵¹

Two other documents — among many of this period relating to Ireland — have survived the vicissitudes of revolutionary activities there. The first relates to the difficulties of that John Prendergast who had once been carried — with his dogs — before Cromwell on account of the noise those buckhounds made over the destruction of the fortifications of the Prendergast residence at Newcastle.¹⁵² The second looks to a wider field, going back as it does, not only to those obscure negotiations between Cromwell and Condé, but to the still older project of eliminating danger from Ireland by permitting or compelling the emigration of the fighting elements from that turbulent island. In this case, it seems, these levies were destined for the service of the king of Spain in the Netherlands and it may be that this was the business which had brought Villaquiran to England:

¹⁵⁰ Despite trouble with the authorities in 1652 owing to his alleged help to the Earl of Derby, Johnson survived all changes of government until his death in 1660. The patroness, Mary Deane, widow of the Major General, exhibited a formal presentation in August 1654. *Plundered Ministers Accounts* (*Rec. Soc. Lancs. and Cheshire*, vol. 34), pp. 1, 12, 14, 49, 55; *Cal. Comm. for Comp.*, iv,

^{2955.}

¹⁵¹ Copy in *Rawl. MSS.*, A328, f. 15.

¹⁵² Cp. *supra*, vol. ii, p. 208.

For the Right Honourable the Commissioners of the Commonwealth in Ireland
GENTLEMEN,

Having received the two enclosed petitions and papers of John Prendergast and the widow Brooke, whose cases have been so represented to me, which, if true, may deserve some tender regard; wherefore I thought fit to recommend to your consideration that they may be permitted to reside in and enjoy their present estates and habitations, unless there be some just cause to the contrary. However, I would have their transplantation to be suspended until I receive from you an account of their particular cases and conditions and that you receive further order therein. I rest,

Your loving friend,

Whitehall,
 22nd of March, 1653 [-4].

OLIVER P.¹⁵³

To the Commissioners for Ireland

[**GENTLEMEN,**]

There hath been an address made to us on the behalf of the bearer hereof, Col. Daniel Treswell, that he may have licence to raise and transport 3000 of the native Irish out of Ireland into Flanders, which we have thought fit to grant, and do therefore recommend it to you to give to him, and such as shall be employed under him for levying of the said men, and also to those who shall undertake the transportation of them, such assistance and accommodation as shall be requisite for the effecting thereof, leaving it to you to take such caution and security that those men so to be transported shall not be employed against the Commonwealth, and to give such orders and directions as to the manner of raising, marching, and transporting of them as you shall judge meet and convenient, it being our pleasure that this gentleman may have all lawful favour and furtherance for the speedy despatch of this affair.

Whitehall, 23 March, 1653 [-4].

[OLIVER P.]¹⁵⁴

These Irish levies were apparently ordered in consequence of the negotiations with Condé's agent, Barrière, for a descent on Guienne,¹⁵⁵ a project still contemplated by the Protector. Meanwhile the French ambassador received little attention, but whether Cromwell's neglect of France was due to preoccupation with the Dutch treaty or to unfriendliness toward the French monarchy and its minister, the fact that their representative was so neglected naturally roused the wrath of Mazarin.

¹⁵³ Lomas-Carlyle, Suppl. 87, from "Letters from the Lord Protector," *Commonwealth Council Book*, A/28, p. 31, Public Record Office, Dublin. This volume, since destroyed, contained about a hundred of the Protector's letters dealing with matters like this. Many were printed or calendared in Dunlop, *Ireland under the Commonwealth*, and appear in this collection. Dated 1653 by Mary Hickson, *Ireland in the Seventeenth Century* (1884), (ii, 237, 397).

¹⁵⁴ Dunlop, *Ireland under the Commonwealth*, ii, 412, from Irish Records, A/28, 26, f. 31.

¹⁵⁵ Gardiner, *Comm. and Prot.*, iii, 122, from letters of de Baas to Mazarin, March 2/12, 6/16, 13/23; Bordeaux to Brienne, March 9/19, 12/22, in R. O. *Transcripts*.

Rumors of his displeasure soon reached London. One intelligencer reported that if Cromwell continued to refuse to receive Bordeaux the Cardinal declared he would "pull him as fast down and faster than ever he was made up; and I will spend to my red *callot* to do it, and set up R. Carolus by a peace with Spain, Germany and . . . many others."¹⁵⁶ Another wrote that when Mazarin heard that the Protector was angry at not being addressed by Louis XIV as "*mon frère*," he "rallied much upon it and demanded whether his father was ever in France."¹⁵⁷

However far from the actual circumstances of the case these reports from Paris may have been, however petty the question of address may seem, the gossip of the time indicated that there was some ground of disagreement between the two governments. Hyde understood that the French were not hopeful of gaining English friendship; that Cromwell had replied to Mazarin's "*Votre tres humble serviteur*" by a mere "Your affectionate friend to serve you"; and that the Council had not only refused to receive Bordeaux but had declined to open any letter which did not address the Protector as "*Monsieur mon Frère*" instead of "*Monsieur mon Cousin*." This was contradicted by Bordeaux's report of April 13 that the Protector refused to be addressed by the title of "cousin" desiring to be styled "*M. le Protecteur de la République d'Angleterre, etc.*"¹⁵⁸ On its part the French court was reported to be indignant at this *friandise* as to title and, more practically, because of a report that Cromwell had agreed with Condé to land men near Bordeaux.¹⁵⁹

That last report seems to have some basis in fact as the Protector's letter to the Irish Commissioners indicates. The relations between France and England and especially between Cromwell and Mazarin were, in fact, extremely delicate. Each, in a sense, had need of the other, but each was inclined to doubt the good faith of one who might become either an ally or an antagonist as his occasions served. Neither was above using the enemies of the other for his own purposes, nor overscrupulous as to the subterranean means by which this was carried on. To each of them, but especially to the Protector, whose fate hung as it were in the balance, the Dutch peace was all-important. If it could be arranged, it would enormously strengthen Cromwell's position at home and abroad. If it were defeated, its failure might well contribute to his overthrow. Under the circumstances neither Mazarin nor Cromwell could afford to antagonize the other openly, and in more ways than one their interests were allied. Yet neither could afford to give the other any advantage, and out of this

¹⁵⁶ Letter from Paris, March 8/18, Thurloe, ii, 146.

¹⁵⁷ Letter from Paris, March 11/21, *ibid.*, p. 159.

¹⁵⁸ *Ibid.*, p. 228.

¹⁵⁹ Hyde to Wentworth, March 10/20, Macray, ii, 325; Hyde to Nicholas, March 10/20, *Clar. St. Papers*, iii, 226; Bordeaux to Brienne, Feb. 28/March 10, Guizot, *Cromwell*, ii, 391.

delicate and difficult situation there arose, in consequence, those intrigues now obscured not only by the secrecy with which they were carried on at the moment but by the lapse of time and the scantiness of evidence. Yet from that obscurity one thing seems to emerge — it is that in these negotiations the Cardinal found a worthy antagonist in whom his subtlety for the moment met its match.

CHAPTER VI

THE TREATY WITH THE NETHERLANDS

MARCH—APRIL, 1654

It is apparent from every piece of evidence we have that the position of the English revolutionary government and especially of its leader had greatly improved by the beginning of March, 1654. The negotiations with the Dutch and Swedes were progressing favorably; other powers were making advances to the Protector; and the French had taken steps to gain English friendship, or at least avoid their enmity. To please the Protector, Charles II had been asked to leave Paris and was making his preparations to go into Germany, departing presently for Cologne by way of Flanders.¹ Meanwhile Mazarin instructed Bordeaux to keep the Protector advised of the state of affairs in France and prevent false impressions of the situation there from being accepted in England; and to assure Pickering and other "confidants" of the Protector that Cardenas had boasted of having cajoled Cromwell by his flattery. To meet the Spanish proposals, de Baas was instructed to offer Cromwell a subsidy and to remind him that, in contrast to Spain, France habitually fulfilled her engagements. The French envoys were further empowered to offer assurances that France was willing to sign a treaty of peace including an article promising to give no assistance to the enemies of the Protectorate. If Cromwell would enter into a war with Spain, Mazarin added, success would be assured, but if by the malice of the enemies of France he broke with her, his progress would not only be uncertain but would be extremely difficult.²

Under such pressure and with such promises it was to be expected that Cromwell's sympathies would swing toward France. He was annoyed at the rapidity with which Mazarin had learned of his negotiations with Spain, for which he blamed the indiscretion of Condé,³ whose agent was informed that Cardenas' offer of £15,000 a month was too small.⁴ He was irritated with Condé, of whom it was reported that he said "*stultus est et garrulus, et venditur a suis Cardinali.*"⁵

¹ *Merc. Pol.*, March 9–16; Osmund Airy, *Charles II* (L., 1904), pp. 120 ff.

² Mazarin to Bordeaux, Mar. 25, in Jusserand, *Recueil des Instructions*, "Angleterre," i, 175 ff.; Mazarin to de Baas, Mar. 17/27, in Guizot, *Cromwell*, ii, 392–4.

³ Gardiner, *Comm. and Prot.*, iii, 123, from Barrière to Condé, Mar. 23/Apr. 2, in *Chantilly Transcripts*.

⁴ *Ibid.*, pp. 123–4, from Barrière to Condé, Apr. 7/17, *loc. cit.*

⁵ Gilbert Burnet, *History of My Own Times* (1833), i, 134 (f. 73).

With the virtual collapse of the Fronde and of Huguenot resistance, and the transfer of Condé to Spanish service, it had become evident that Cromwell's earlier policy of negotiation with those enemies of Mazarin and the French monarchy could not succeed. The re-entry of Mazarin into power even greater than he had before, the amazing revival of the strength of the French monarchy, and the obvious weakness of Spain, seemed to necessitate a change in English policy, and the conclusion of the Dutch war left the Protector's hands free to make the best bargain he could between the two powers which had so ardently sought his aid. The old dictum of Machiavelli that if one's neighbors fell out with each other, it was not proper to hold the balance between them but to discover which was the stronger and join him, seemed at this moment the better part of political wisdom. In consequence English relations took on new form and direction, and the result was soon apparent.

Bordeaux had sent copies of his letters of credence to the Master of Ceremonies, Fleming, but he wrote on March 16 that he had as yet been unable to secure an audience to deliver them to the Protector;⁶ though on the other hand de Baas boasted — truthfully or otherwise — of frequent informal conferences with Cromwell.⁷ On March 20, however, the Council of State prepared to receive Bordeaux with all the honors recently shown to the Dutch. Sir Abraham Williams' house, recently vacated by the Dutch envoys, was prepared to receive the French ambassador and his suite. Orders were given to entertain him with seven meals — to cost £300 — in the same fashion as the ambassadors of the Netherlands had been honored, including the attendance of the members of the Council as hosts in turn.⁸ Bordeaux left London for Greenwich so that he could enter the City in due form, which he did on March 28 with an attendance of some fifty or sixty coaches, and though he was the official ambassador, the Protector gave orders that de Baas, who accompanied him, be treated with equal respect.⁹ The official entry having been duly made with all the formality which accompanied such a function and which was so agreeable to the London populace, on the next day, March 29, both envoys were given an audience in the Banqueting Hall¹⁰ and

⁶ Bordeaux to Brienne, Thurloe, ii, 166. On March 16 Cromwell signed a safe-conduct for Bordeaux's household goods coming from France. Copy in *Rawl. MSS.*, A328, f. 12. On May 11 he signed an order for Bordeaux's coach and other goods to be entered free of duty. *Ibid.*, f. 42.

⁷ Letter of intelligence, Paris, March 18/28, Thurloe, ii, 175.

⁸ *Cal. S. P. Dom.* (1654), pp. 40, 44, 53.

⁹ Bordeaux to Brienne, and de Baas to Mazarin, Mar. 28/Apr. 7, in Guizot, *Cromwell*, ii, 370-1; *Perf. Diurn.*, Mar. 27-Apr. 3; *Cal. S. P. Ven.* (1653-4), p. 199.

¹⁰ De Baas to Mazarin, Mar. 31/Apr. 10, in Guizot, *Cromwell*, ii, 371-2; *Perf. Diurn.*, Mar. 29; *Cal. S. P. Ven.* (1653-4), p. 200.

were assured by Oliver that he hoped for an understanding between the two nations.¹¹

Meanwhile though negotiations were proceeding satisfactorily with the Dutch,¹² the most extravagant rumors were being spread as to the intentions of the English government. In Paris the Dutch ambassador let it be known that he had heard that Oliver had told Philip IV's favorite, Don Lewis de Haro, that he had no intention of concluding a peace with the Netherlands.¹³ Though many residents of the Hague were reported as beginning "to speak honourably of the uprightness, prudence, and constancy of the Lord Protector," others believed that he aimed less at permanent peace than at his own establishment in power.¹⁴ While the French took great pains to please him, to avoid his sending aid to the Spaniards in their harrying of the French coasts, the Dutch sent a warning to the Danes of a design of the English fleet against Denmark, perhaps involving the occupation of the Sound.¹⁵ While Condé heard of the Protector's annoyance with the friends of Spain, men in distant Ratisbon discussed the Protector's kind treatment of the Archduke Leopold's agent, applauding his prudence and gallantry and declaring him worthy to rule any empire in the world.¹⁶ Every one agreed that the Dutch could no longer resist the might of England, but there was wide divergence of opinion as to whether or not Oliver would modify or abandon his demand that the house of Orange be excluded from office as the price of peace.¹⁷ The people of the Netherlands were torn between hope and fear¹⁸ and it took all of de Witt's skill to prevent the fall of his government.

Meanwhile the Dutch and English commissioners proceeded with their task of drafting the terms of the peace and on March 21 the former were said to have visited the Cockpit, presumably to confer with the Protector.¹⁹ On that day Leopold's envoy took his leave of Oliver to return to Brussels. There he entertained his listeners with a description of the person, the features, the gestures and the behavior of this new phenomenon in European politics;²⁰ and on the day he left the Council considered a proposal for a "model" of Cromwell and his family.²¹ On that day, too, the Protector signed a curious order to search for hidden treasure:

¹¹ Bordeaux to Brienne, Mar. 30/Apr. 9, in Thurloe, ii, 196. In Dugdale, *Short View*, pp. 420-1, is pr. what purports to be Bordeaux's speech.

¹² There were several meetings during the week. *Perf. Diurn.*, Mar. 22.

¹³ Two letters of intelligence, Mar. 17, in Thurloe, ii, 167, 168.

¹⁴ Van Aylva to Jongestal, Mar. 24/Apr. 3, in *ibid.*, p. 193; and a letter of intelligence, Mar. 24, in *ibid.*, pp. 191-2.

¹⁵ Several letters, Mar. 26, 27, in *ibid.*, pp. 168-9, 180, 197.

¹⁶ Letter of intelligence, Mar. 18/28, in *ibid.*, p. 177.

¹⁷ *Ibid.*, pp. 167ff., 191-2.

¹⁸ *Ibid.*, p. 168.

¹⁹ *Merc. Pol.*, Mar. 16-23.

²⁰ Paulucci to Sagredo, Mar. 21/31, *Cal. S. P. Ven.* (1653-4), p. 196.

²¹ *Cal. S. P. Dom.* (1654), pp. 44-6.

To Quartermaster-General Grosvenor and Lieutenant-Colonel Worseley

These are to require and authorize you to search in the wall standing in the walk to Moorefields commonly called the Usurers Walk, leading from the Turkeshead, a victualling house, to the stile going towards the New Artillery Ground, for money hid and concealed there by an enemy and delinquent of the State, and to that purpose you are hereby authorized to break down such part of the wall and to dig such part of the ground thereabouts as you shall find necessary. And upon finding any such money you are to pay the same to such person as we shall direct for the benefit of the State.

Given under our hand this 21th of March, 1653.

OLIVER P.²²

As the end of this eventful year approached the government planned a day of solemn fasting and humiliation. On March 20 Thurloe signed a declaration in the name of the Protector inviting the citizens of London and Westminster to observe the last day of the calendar year — Friday, March 24 — and the rest of the country the same day fortnight for that ceremony. Particular prayers were offered for rain to break the long drought which threatened the country with famine. And it is evident from the language of the proclamation, which is among the most characteristic utterances of the period, that, apart from the usual phraseology of such documents, it implies that the Protectoral administration at least recognized that all was not well with the body politic:

A Declaration of His Highness the Lord Protector, Inviting the People of England and Wales, to a Day of Solemn Fasting and Humiliation.

The common and notorious sins so boldly and impenitently practised amongst us, notwithstanding all our Deliverances and Mercies, together with the present Rod of an Exceeding and an Unusual Drought, which hath layen upon us for some years, and still continues and increaseth upon us, threatening Famine and Mortality, are no less than the Voice of God, calling aloud in our ears to Fasting, and Mourning, and great Abasement of Soul before him.

And although the General End and Intendment of inviting to a Day of Fast, be, that all of every Condition and Quality whatever, do try and examine their heart and way more especially, according to their own Light, and in the use of such Helps and Means as the Lord in His Providence shall afford to each one, before and upon the said day of Meeting; yet finding some thoughts set seriously upon our Heart, We judged it not amiss to recommend the same to Christian Consideration, not to impose them upon any, or to confine any within the compass thereof; but leaving every man free to the Grace of God, and to the work of his Spirit, who worketh all things in the Hearts of the Sons of Men, according to the Counsel and Good Pleasure of His own Will.

It cannot be denied but that God hath vouchsafed to appear very much in working the Deliverance of the Nation from their bondage and thralldome, both Spiritual and Civil, and Procuring for them a just Liberty by His own People.

²² Copy in Rawl. MSS., A 328, ff. 13-14, marked "Signed by his Highness."

Do we now walk worthy of our high Calling in humbleness and lowliness of mind, holding forth the Virtues of Christ in time of Peace, which was our strength, by the efficacy of which all our great things were accomplished in time of War?

Have we a heart prepared as willingly to communicate the said Just Freedom and Liberty to one another, as we were industrious to get it?

Do we thankfully acknowledge our mercy in the Liberty of Worshipping God in Holiness and Righteousness without fear, being delivered out of the hands of our Enemies?

Is Brotherly Love, and a Healing Spirit of that force and value amongst us that it ought?

Do we own one another more for the grace of God and for the Spiritual Regeneration, and for the Image of Christ in each other, or for our agreement with each other in this or that form, or opinion?

Do we first search for the Kingdom of Christ within us, before we seek one without us? Or do we listen to them that say concerning the comming of Christ, Lo here, and lo there?

Do we not more contend for Saints having rule in the world, than over their own hearts?

Are there not too many amongst us that cry up the Spirit, with a neglect of Love, Joy, Peace, Meekness, Patience, Goodness, Temperance, Long-suffering, Forbearance, Brotherly kindness, Charity, which are the fruits of the Spirit?

How do we carry our Selves, not only to the Churches of God, and the Saints, but towards them that are without?

Do not some of us affirm our selves to be the only true Ministry, and true Churches of Christ, and only to have the Ordinances in purity, excluding our Brethren, though of equal gifts, and having as large a Seal of their Ministry, and desiring with as much fervor and zeal to enjoy the Ordinances in their utmost purity?

Do we remember old Puritan, or rather Primitive simplicity, Self-denial, Mercy to the Poor, Uprightness, and Justice? or are we not herein put to shame by those we easily call Anti-Christian or Carnal?

Hath one that we judge to be without, equal justice with one we will call a Brother?

Do we contend for the *Faith once delivered unto the Saints*, as the things of Faith ought to be contended for, with Love, Patience, Tenderness, Zeal, by perswasion? Or rather imposingly, proudly, carnally, provokingly, sensually, thereby prejudicing the Truth and, whilst we are calling aloud for the propagating of the Gospel, do we not put stumbling-blocks in the way of the same, and too much endanger to make good the slander of the world in charging Profession with *Faction*?

For want of Circumspection and care herein, and a due regard to sincerity and uprightness, have not many apostatized, running after *Fancies* and *No-tions*, listning to filthy *Dreams*, worshipping of *Angels*, and been carried by their Impulsions, and instead of contending for the Faith, and holding the form of sound words, contended against *Magistracy*, against *Ministry*, against *Scriptures*, and against *Ordinances*, too much verifying the Prophesies of *Peter* and *Jude*, in these following words.

2.Pet.2. 1. But there were false Prophets also among the people, even as there shall be false Teachers among you, who privily shall bring in damnable heresies, even denying the Lord that bought them, and bring upon themselves swift destruction.

2. And many shall follow their pernicious waies, by reason of whom the way of truth shall be evil spoken of.

3. And through covetousness shall they with feigned words make merchandize of you; whose judgement now of a long time lingreth not, and their damnation slumbreth not.

10. But chiefly them that walk after the flesh in the lust of uncleanness, and despise Government, presumptuous are they, self-willed, they are not afraid to speak evill of dignities.

11. Whereas Angels which are greater in power and might bring not railing accusations against them before the Lord.

12. But these as natural Brute Beasts made to be taken and destroyed, speak evil of the things they understand not, and shall utterly perish in their own corruption.

13. And shall receive the reward of unrighteousness, as they that count it pleasure to riot in the day time: spots they are and blemishes, sporting themselves with their own deceivings while they feast with you.

15. Having eyes full of adultery, and that cannot cease from sin, beguiling unstable souls; and heart they have exercised with covetous practises, cursed children.

Jude ver.4. For there are certain men crept in unwares, who were before of old ordained to this condemnation, ungodly men, turning the grace of our God into lasciviousness, and denying the only Lord God, and our Lord Jesus Christ.

8. Likewise also these filthy Dreamers defile the flesh, despise Dominion, and speak evil of dignities.

10. But these speak evil of those things which they know not, but what they know naturally as brute beasts, in those things they corrupt themselves.

11. Wo unto them, for they have gone in the way of Cain, and ran greedily after the errore of Balaam for reward, and perished in the gain-saying of Core.

12. These are spots in your feasts of Charity when they feast with you, feeding themselves without fear: clouds they are without water, carried about with winds; trees whose fruit withereth, without fruit, twice dead, plucked up by the roots.

13. Raging waves of the Sea, foaming out their own shame; wandering stars, to whom is reserved the blackness of darkness for ever.

16. These are Murmurers, complainers, walking after their own lusts, and their mouth speaketh great swelling words, having mens persons in admiration because of advantage.

19. These be they who separate themselves, sensual, having not the Spirit.

And notwithstanding all these evils, and worse, are upon, and in the midst of us, like gray hairs, here and there, and we know it not, our pride testifying to our face Hos.7.9,10. and we not return to the Lord our God, nor seek him for all this, but these things are contended for, and justified under the

notion of Liberty, it being too commonly said that the Magistrate hath nothing to do either in repressing, or remedying these things. We do hereby appeal to the hearts and consciences of all fearing the Lord, whether there be not as great cause as ever to lay our *Mouthes in the dust*, and to *abhor our selves* before the Lord, for these abominations, whereby the eyes of his jealousie are provoked, and to seek pardon and remedy from himself of these things.

Add we to these, The resistance, hatred, and neglect of the Gospel by the generality of men, the contempt and despite done to the sincere professors of it, even for the image of Christ in them (although they have been instruments of many mercies, and of the obtaining a just freedom for the nation) The wickednesses, oaths, drunkenesses, revellings, and all manner of licentiousness, for which things sake, the Scriptures have said, that the wrath of God shall undoubtedly overtake the children of disobedience.

And lastly, the impunity of these things, through the neglect of the Magistracy, throughout the Nation, and then judge whether there be not cause, that we be called upon, and do call upon each other seriously, to lay all these things to heart, being greatly abased before the Lord for them.

Upon the serious consideration of these things, We judge it not only warrantable, but a duty, to call upon you, and our selves, to set apart time to humble our souls before the Lord, to cry unto him for broken & penitent hearts, and that he would turn away his wrath, & be reconciled to us; for the Lord he is merciful, gracious, long-suffering, and abundant in goodness and truth, forgiving iniquity, transgression and sin, and will by no means clear the guilty, who are only such as go on in their hardened and impenitent hearts, refusing the grace offered by Jesus Christ.

It is therefore hereby declared, That We, and our Council, do purpose (by the grace of God) to set apart Fryday next, being the 24. of this present March, for a day of *Humiliation*.

And it is hereby Ordered that timely notice be given to the Cities of London and Westminster, who (together with the out-Parishes) we doubt not, will willingly keep the same day, And that like notice be given throughout England and Wales, to have their several meetings upon the same day Fortnight; And that Copies hereof be Printed and published, to be sent to the several Parts of the Nation, to invite them unto the performance of this duty.

Given at White-Hall this 20. of March 1653.²³

On the appointed days the services were duly held, the Protector himself listening to three sermons by his chaplains, Lockyer, Strong and Cradock. Whatever the effect of this appeal on the weather, *Several Proceedings* recorded one curious result on men. As it relates,

A notorious obstinate Cavalier, that had a journey to go from London, who so soon as he heard of the late Fast for Rain, appointed by his Highness, the Lord Protector, he sent presently to have his horse ready and called for his boots, for he would away presently into the country, whither he was to go. And being asked why he made such haste, his answer was, that he knew there

²³ Coll. Of Proclamations (1654), p. [182.] Pr. in Perf. Diurn., Mar. 20-27; Merc. Pol., Mar. 16-23; Parl. Hist., xx, 279-83.

would be great rain, and the ways would be dirty, because whatsoever this present power prayed for, they had; and therefore he would be gone before the rain came.²⁴

If one may judge from the fact that two months later the Protector issued another proclamation for a day of thanksgiving for the Dutch peace and "the late seasonable rain," the Cavalier was well advised to go when he did. But it was apparently not enough to break the dry spell, for in October the Quaker leader, George Fox, in his *Warning from the Lord . . . occasioned by the late Declaration*, asserted that if Cromwell "owned God's truth," he would have rain, and that the drought, which evidently continued, was a sign of the "barrenness of the water of life."

In any event, this period of fasting and humiliation provided an interlude in the business of the Council which gave the Protector an opportunity to consider not only the pending peace with the Dutch and the recognition of the French ambassador but to prepare another and more far-reaching adventure in foreign affairs. This was the despatch of envoys to the Protestant Swiss cantons and the western states of Germany as part of the complicated game he was playing with the continental powers and of the furtherance of the "Protestant interest" which was a part of that game.

THE MISSION TO SWITZERLAND

It is apparent that the signature of the treaty with the Netherlands marked a great turning-point in the fortunes of the English revolutionary party and those of its leader. It had far wider significance than the establishment of peace. The diplomatic position of any revolutionary party which comes to power by force, particularly when it is guilty of the death of the "legitimate" or traditional head of the state, is always difficult, and it was never more difficult than in the case of the English Commonwealth. For this there were many reasons. The civil wars in England had largely removed her from any regular diplomatic intercourse with Continental states; the diplomatic service, such as it was, had been disrupted; and it was hard to restore the old connections. The first efforts of the revolutionary government to re-establish those relations had not been fortunate, owing in part to the activities of the Royalist refugees, in part to the natural hesitation of Continental powers to deal with a regicide government. Its first emissaries, Dorislaus and Ascham, had been assassinated. The next, St. John and Strickland, had not only failed in their effort to effect an alliance, if not a union, with the Netherlands but had been treated with something less than courtesy. The Anglo-Dutch war which ensued had brought in Denmark on the side of the Netherlands; the privateering activities of both sides had fallen just short of an Anglo-

²⁴ *Merc. Pol.*, Mar. 23-30; *Perf. Diurn.*, Mar. 24; *Sev. Proc.*, Mar. 30-Apr. 6.

French war; and when Cromwell became Protector, he and his government found themselves virtually isolated from the Continent, facing the hostility of most of its rulers, with no diplomatic representatives at foreign courts, and with neither experience in diplomatic affairs nor trained men such as those at the command of most Continental rulers for such a service.

It was, then, to the task of recovering from this situation that the Protector's government addressed itself. In one sense the situation was made easier, in another more difficult, by the fact that for thirty years the Continent had been absorbed in the great religio-political struggle which had ended a few months before the execution of Charles I, so that the Continent, like England, faced the resumption of peaceful relations on the basis of an altered balance of power and interests. This, in a sense, helped the Cromwellians. The events of the preceding decades had done much to loosen the bonds of traditional sovereignty and permit the rise of political and military adventurers. Apart from the achievements of Gustavus Adolphus, the talents of his great antagonist, Wallenstein, had brought such titles, territories and power that only his assassination seemed to prevent his becoming the virtual master of the fortunes of Germany. Revolutions and wars had given opportunity for the emergence of men as different as the Neapolitan Masaniello, Charles of Lorraine, Condé and de Witt, while even in France the dominance of the Italian Cardinal Mazarin offered some parallel to that of the English dictator, however different the means by which each had risen to power. Against such a background the career of Cromwell appeared less exceptional than it might have seemed in quieter times. More than this, for the first time in a decade Continental sovereigns had an English government with which they could deal with some sense of security. The very fact that Cromwell was dictator strengthened England's diplomatic position, while his talents for war and negotiation gave his country new prestige. Finally, not only were England and Holland both desirous of peace, but the success of the English and the demonstrated power of her military and naval forces made Continental rulers, especially those of France and Spain, fearful of offending this new threat from the north and eager to secure its support.

Such a situation presented Cromwell and his supporters with an opportunity to make England respected and feared abroad, to strengthen its trade and colonies, to further the interests of Protestantism, and to secure themselves more firmly at home. Their policy had been developed long before Cromwell became Protector by underground negotiations with the discontented elements in France, considering the acquisition of a foothold on the Continent, and playing one candidate for their favor off against the other. Of these France and Spain were the chief rivals, but it was evident that before the Protector and his advisers could take any definite stand in European affairs they must free themselves from the

Dutch war. In every direction it hampered trade and bound the hands of England in its relations with other powers, not least with France which, next to the Netherlands, was England's greatest rival in commerce and colonies. Had it not been for their other entanglements, England and France might long before have come to open war. From such a conflict both sides had shrunk, but each had done its best to harass the other without coming to declared hostilities. If Cromwell had negotiated with the enemies of the French monarchy and minister, the French had not only given sanctuary to Charles II but had assisted the enemies of the Commonwealth throughout the British Isles. It was in France that plots were hatched; from France had come aid and agents; and even at this moment Middleton was on his way from France to head Glencairn's rising in the Highlands. To this was added the humiliation of the old English failure at Rhé, which still rankled, and the desire to help the cause of Continental, especially French, Protestantism, which had long animated the English revolutionary party and Cromwell in particular. At this moment, then, taking advantage of a mission from the Swiss Protestant cantons, the Protector found an opportunity for such an enterprise as appealed strongly to his inclination and his interests.

This was the project of sending emissaries to the Protestant states along the Rhine from Holland to Switzerland to weave the threads of an understanding which would embarrass the French, bring England into closer touch with the Continent, and take a step toward that older idea of a Protestant union which should serve at once as a bulwark of England and her faith along the eastern borders of the French monarchy. It was a fortunate moment for such an enterprise and the region he selected was peculiarly adapted to such a purpose. The Peace of Westphalia in 1648 had served to restrict the power of the Holy Roman Empire, then in Hapsburg hands, partly by Swedish conquests in the north and by French acquisitions in the west, and partly by the growing independence of lesser German states over which the Emperor had exercised his suzerainty. More than that, for French purposes, it had left the line of demarcation between what may be called for convenience "German" and "French" territories more or less undefined. Between the Netherlands and Switzerland lay a line of little states, most of them nominally in the Empire but looked on by the French monarchy as its natural prey. This land debatable, despite the fact that it contained various Roman Catholic ecclesiastical states, had been the line along which Calvinism had passed from Geneva to Holland and the British Isles. It contained, in consequence, several Protestant states, none large, but all together, with the Swiss cantons and the Netherlands, forming a considerable body of Protestants. If the "Protestant interest" were to be served, this was the most promising field for such an enterprise. If French ambitions were to be checked without open hostilities, it was here, if anywhere, that it might be possible

to limit them. Thus as he had earlier negotiated with the enemies of French monarchy within French borders, having set in train his negotiations with the Netherlands and Sweden, the Protector turned to this region for his next adventure in foreign affairs.

It seemed a fitting time for more reasons than one. Peace with the Netherlands was in sight. The administration had been reorganized by replacing doubtful men with his own supporters; the judiciary had been reconstituted, the reform of judicial procedure begun, and with it the enactment of a series of ordinances which was reaching almost the dimensions if not the content of a code of laws in accord with the sentiments of the Protector and his party. Ireland was being reconstituted in that same interest. The ecclesiastical system was being reorganized. Thus from whatever direction one viewed his position, civil or military, administrative, judicial, ecclesiastical or diplomatic, he seemed secure in his authority and even more powerful than the monarch he had overthrown. If there was no one, perhaps not even himself, who believed that the system which he had created and which he controlled would in the long run supersede monarchy as the permanent government of the British Isles, there was certainly no threat to its immediate supremacy. It was then at this brief pause in affairs when the meetings of the Council were interrupted for some days that the new venture was undertaken. The Swiss had opened the way for such a negotiation by sending Stockar to establish relations with the English authorities and the Protector resolved to send in return a good-will mission to strengthen the connection with them and the Rhenish Protestants.

For that purpose he chose two men who had played no part hitherto in English politics but who seemed adapted to such an enterprise. The first was a Scotchman, John Dury or Durie, who, having been educated at Sedan, Leyden and Oxford, had been minister to the English Company of Merchants in West Prussia some thirty-five years before. Since that time he had spent his life in championing union among the Protestant churches of Europe. While Gustavus overpowered the forces of the Empire and Catholicism, Dury had travelled widely among Protestant churches and courts in Germany preaching his ideal of a general assembly of evangelical churches. The death of Gustavus had interrupted but not ended his work, and whether in England or on the Continent, whether as royal chaplain or nonconformist minister, he had been an ardent champion of Protestant union. He had been supported by Gustavus but under Christina he had been virtually expelled from Sweden and for some three years he had been a "library keeper" at St. James's under Whitelocke. The other envoy was that John Pell who, after a career as professor of mathematics at Amsterdam and Breda, had been kept in England, largely by Cromwell's interest, as a lecturer in Cambridge, where Pell had taken his first degree.

It seems not improbable that Dury had presented his views to the Protector, though there seems no direct evidence of this. But whether or not this policy, like so many others, was inspired by suggestions from outside and in general obscure sources, or whether those sources were used as an excuse for policies already determined, there were not wanting other recommendations for such a move. Stockar had come from the Swiss cantons and there are suggestions of communications with other parties and powers on the Continent, as well as from individuals, which seem to have directed the attention of the Cromwellians to some such enterprise. But whatever influence these had, it scarcely needed suggestions from the outside, nor does there seem any reason to believe that this was a long-planned, or even a very definite move. It was rather in the nature of those vague and obscure negotiations which the revolutionary party and Cromwell in particular, had long carried on with the rebellious elements in France, designed more or less equally to assist French Protestants and to embarrass the French monarchy. It combined, however, something of these earlier underground negotiations with more formal and open diplomatic intercourse and it therefore required two men, each of whom, whatever his other qualifications, had the necessary linguistic equipment for such a task, and each of whom, whatever he lacked in diplomatic training, had the qualities necessary for such a curious and unorthodox mission as was now entrusted to them.

It is evident from the situation, from their letters of credence, and from the result, what that mission was. Directly or indirectly it was designed not only to bring together the threads of the Protestant interest from the British Isles through the Netherlands to Switzerland and to provide what may be called "listening posts" in that region, but in some measure at least to detach the Swiss cantons and other states from the French interest. It was a vague but not wholly impractical idea on the side of politics, whatever its value as a device for religious unity; and the very terms of the documents issued in connection with it reveal in some measure its character and aims. The first was naturally under the circumstances a provision for expenses:

To Mr. Gualter Frost

These are to will and require you out of such moneys as are, or shall come into your hands for the use of the Council to pay unto Mr. John Pell the sum of two hundred pounds by way of advance for his journey into Switzerland. Of which you are not to fail, and for which this shall be your warrant.

Given at Whitehall this 22th of March, 1653.

OLIVER P.²⁵

With this, a similar order for Dury, and the vote of the Council to pay Pell's salary to his wife during his absence,²⁶ Pell and Dury were

²⁵ Copy marked "signed by his Highnes" in *Rawl. MSS.*, A328, f. 13.

²⁶ *Ibid.; Cal. S. P. Dom.* (1654), p. 50.

provided with letters of credence — for Pell one to the Swiss Cantons in general, and one to each separately; for Dury the same, as well as a safe conduct to all sovereigns in general, the terms of which indicate the scope of his roving commission.²⁷

Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland, etc.

To the illustrious and magnificent Consuls, Mayors, Magistrates and Senators of the Evangelical Cantons of Switzerland: of Tegernsee, Bern, Glarus, Basel, Schaffhausen, Appenzell; also of the Allied Cantons of the same religion in Rhaetia, Geneva, St. Gall, Mulhouse, and Bienna.

MOST ILLUSTRIOUS LORDS:

We have easily understood both from the letter presented by you not very long ago to the late Parliament, and from many conversations held here and there with Lord Stockar, your Public Minister, your ready good will towards this Commonwealth, your constant endeavour to cultivate friendship with it, and likewise your pious and truly Christian zeal in defending the Reformed Religion, in cherishing its cult, and advancing it further and higher. Thankfully recalling to memory all these things together and separately, we considered that it was not at all enough to have stated by words to the above mentioned Lord Stockar our accordant desires and entirely similar frame of mind. Nay, rather, over and above this, we immediately determined to send an official representative to you in order that he might state more at length our sincere endeavour and desire not only to maintain the amity and relationship which have long existed between both Commonwealths, but also to strengthen and increase the same affinity, just as the present state of affairs, the weal of the one and the other Nation, and the common cause of the Evangelical Religion demand. And whereas the Honorable John Pell is instructed in our affairs, and has caused the feelings of the people of this Commonwealth to be well explored (how readily, namely, the better informed as well as others favor advancing this work) we have entrusted this office to him. We therefore urgently ask you to receive him kindly and grant him audience and full confidence, just as if we ourselves were present, in those things which he is going to propose from our side.

Given from Whitehall on the twenty-seventh day of March, in the year 1654.

Your good friend,
OLIVER P.²⁸

²⁷ Pell was given at the same time certain definite instructions which, with other powers, authorized him to assure the Protestant Cantons that students would be welcomed in England and any sent would be provided for. Pell to Thurloe, July 1, Robert Vaughan, *The Protectorate of Oliver Cromwell* (L., 1839), i, 19.

²⁸ Contemporary copy of Latin in Rawl. MSS., A261, f. 2-2v. The original is in Basler Staatsarchiv (Politisches S 1, Gesellschaft Stockar) according to Ferdinand Holsach, who prints the Latin in "Über die politischen Beziehungen der Schweiz zu Oliver Cromwell," *Basler Zeitschrift für Geschichte und Altertumskunde*, iv (1905), 243.

Oliver, Lord Protector of the Commonwealth of England, Scotland, Ireland &c.
To the Illustrious Senate of the State of Geneva, Greeting.

MOST DISTINGUISHED AND RESPECTED GENTLEMEN, HIGHLY BELOVED FRIENDS:

Your fidelity in spreading the purer and Evangelical Faith, though its adversaries struggle against it in vain, is something that all good and wise men follow with favorable disposition. Assuredly to us you are extremely beloved because the light of the Gospel of Salvation blessedly spread itself, already a century ago, even from your city into the surrounding Regions. And indeed this is still more true because your Zeal for protecting and promoting the Reformed Faith in no degree decreases in ardor. We constantly exhort that you press on further in this your pious and most praiseworthy purpose. And since that venerable custom should rightly be taken into consideration that those whom the profession of the same faith has allied in a common bond should cultivate and maintain unbroken Friendship between themselves, we have voluntarily addressed ourselves to this undertaking and have sent the honorable gentleman John Pell to all the Evangelical Cantons, to treat with them on all matters touching not only the general good but individual advantage. We have directed him in his instructions that he should greet you particularly in our name and should inform you especially of our kindly and ready inclination toward you. Therefore we request that you receive him with kindness as our official minister and give him audience readily, and give the same attention as you would to ourselves in those matters which he is to lay before you on our behalf. As to all else we pray from our heart that everything may be prosperous and fortunate for you.

Given from Whitehall the 27th day of March 1654.

Your good friend,

OLIVER P.²⁹

Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland, etc.

To the most illustrious Senate of the City of Basel, greeting.

ESTEEMED AND RESPECTED MEN, DEAREST FRIENDS:

Whereas that devout and learned man, Master John Dury, minister of God's word and dear to us, who bears this letter to you, has of his volition presented himself to us and signified that it is his purpose to devote again some labor towards renewing at this opportune time those devout efforts which he undertook several years ago among the Evangelical Churches for the purpose of procuring among them harmony and fraternal union in the profession of truth, we could not but approve of his zeal and pray for the success of his endeavours; and whereas we saw that he was not alone in this desire, that many religiously learned and wise men in our two Universities and here in London and even elsewhere were in agreement with him and joined to him in the work; and whereas it was perfectly evident to us that you too would be very well disposed towards these efforts and prayers for procuring harmony among all Evangelical men, we thought it would be useful to recommend him in the

²⁹ Contemporary copy of the Latin in *Rawl. MSS.*, A261, ff. 4v-5. See App. II (r)

strongest terms to your kindness and the business which he has in hand to your pious solicitude for the churches of God: we declare publicly that he is and will be exceedingly dear to us. We ask that you place in him full confidence in those things which he proposes in this matter, consult with him according to the state of affairs, give him your helping attention in advancing the work, and support with your authority the handling of affairs according as it will appear to expedite the business. For the rest, we should like for you to be persuaded that our sincere concern is the perpetual safety and prosperity of all Evangelical men and especially of your Commonwealth.

Farewell! Given from Whitehall, 27 March, 1654.

Your good friend,

OLIVER P.³⁰

Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland, etc.

To the most serene kings, the most reverend and illustrious princes, dukes, counts, sea-rulers, dynasts, generals; commanders of districts, cities, towns, castles, fortresses, ports, rivers, bridges or roads; or to any other magistrate or to those entrusted with office or function, sacred or civil; to men in authority with deputized power, to whose benevolent hands these our letters may come:

We greet you and desire you to take note that the bearer, our beloved John Dury, has said farewell to these regions for a time and has undertaken a journey among foreign countries and peoples for study with learned men and communication with the pious, in which, besides, he plans to apply his work for the good of public affairs, literary and ecclesiastical. Therefore, in order that he may be happy and fortunate, and in the disquiet of public affairs throughout the world among Christians he may return safely and expeditiously, we desire him protected with this our safe-conduct and we commend him highly to all and singular whom we have noted above on account of their high office into whose dominions he may come, appealing strongly to them one and all and speaking for the people of this republic, that they may grant to the said John Dury with his servants and goods freely and kindly to travel, sojourn, carry on his affairs and return, and to permit him liberty and authority and in general neither permit nor allow to be permitted any troublesome delay, violence or injury, but that they may rather be favored with all benevolent offices of friendship and good will, and (if occasion serve) they may assist him in such ways as are due to good men, learned and studious, for the public good; by which his affairs being happily expedited for him he may return to us more safely and quickly and he may be free from them. It will be most grateful to

³⁰ From a copy of the original sent from Basel where, according to the chief archivist, it is the only Cromwell letter in the Staatsarchiv Basel-Stadt. A contemporary copy of the Latin is in Rawl. MSS., A261, ff. 4-4v, where copies of the same letter are addressed to the Cantons in general and to the Senate of Geneva (*ibid.*, ff. 2v-4). The original to Geneva is in the Geneva Archives and the Latin is pr. in the Columbia edition of Milton's *Works*, xiii, 643. Pr. in Brauer, *Die Unionstätigkeit John Duries unter dem Protektorat Cromwells* (Marburg, 1907), p. 232. See J. M. Batten, *John Dury* (Chicago, 1944), pp. 150 ff.

us ourselves and equally on whatever occasion to any one, weighing with grateful mind that which by our hand and seal here appended we receive and bind ourselves to receive.

Given from Whitehall the twenty-eighth day of March, 1654.

OLIVER P.³¹

On its face and in the light of the phraseology of the documents entrusted to Pell and Dury there was nothing in this mission beyond a concern for the fate of Protestantism, yet there was more in the mission than that. Freed from the authority of the Empire, the Swiss cantons or confederation, divided between Catholic and Protestant, had come under the influence of the French monarchy and though nominally neutral were in receipt of a subsidy and provided many mercenaries, both Catholic and Protestant, to the French armies. Distracted by religious differences, the Confederation was held together less by unity of purpose from within than by pressure from without. On the one side bounded by the Hapsburg possessions of the Tyrol and Milan, with the duchy of Savoy, on the other by France and Franche Comté, only its natural defenses and the independent spirit of its people had prevented its absorption into the larger political units by which it was surrounded. In this situation the divergent activities of Pell and Dury indicated in some degree the Protector's purposes in this mission. While Pell from his position in Zürich carried on an extraordinarily voluminous correspondence with Thurloe almost exclusively concerned with political matters, especially in regard to the relations between France and Switzerland, Dury entered on a journey which took him through the Protestant cantons and western Germany, visiting churches, synods and courts of the evangelical states from Switzerland to Amsterdam. While the one endeavored to detach the Swiss Protestant cantons from France, the other strove to build up along the eastern border of France a league of Protestant states headed by England; and each in his way, directed by the Protectoral government, did what he could to weaken the position of Cromwell's greatest rival, Mazarin.

The matter thus set in train, the Protector having issued a warrant to Frost to pay Pell his salary as lecturer,³² signed an order to the commander of the frigate *Merlyn* to carry the envoys to Ostend, Dunkirk or some other port.³³ Thus equipped, the visionary Dury and the unpractical Pell set forth on their mission as curious a pair as were ever despatched on a diplomatic mission which, however unorthodox it may have seemed to those versed in the old diplomacy, was neither wholly visionary nor unpractical. For, apart from all motives of religious solidarity among the Protestant states of Europe, there lay the worldly consideration, known

³¹ Contemporary copy of the Latin in Rawl. MSS., A328, f. 18. Pr. in Brauer, *Die Unionstätigkeit John Duries*, p. 233.

³² Copy in Rawl. MSS., A328, f. 16.

³³ *Ibid.*, ff. 16-17.

to all statesmen at all times, of establishing friendly relations with powers on the farther borders of potential enemies. In a sense what Cromwell had not been able to achieve by support of rebellious elements in France itself, conceivably he might accomplish through Switzerland and the states of western Germany.

In the meantime he turned his attention to lesser matters. On March 28 he signed an order to the commander of the frigate *Pearle* to bring from France the young Earl of Bolingbroke and Lord Mandeville, the twenty-year old son of the Earl of Manchester,³⁴ and on the 29th he sent a letter to the Commissioners of Ireland to protest against the breach of articles of surrender in the case of Richard Nugent, Earl of Westmeath, who as Irish commander in Leinster had submitted in 1652. The protest seems to have been useless, for two years later the Earl carried his case into court, to Cromwell's indignation,³⁵ though in the meantime he had raised an Irish regiment for Spanish service and gone to Flanders:

To the Commissioners for Ireland

The Earl of Westmeath having represented unto us a copy of the late Order and proceedings of the Committee of Articles in his Lordship's case, in order to his relief, which is here enclosed, and also setting forth the great expense and damage he hath sustained by his journey out of Ireland, and long attendance there, for the obtaining relief upon his Articles according to former Orders of the said Committee, without any fruit or effect, we, being sensible how much the faith of the army and our own honour and justice is concerned in the just performance of articles, do think fit to recommend unto you the speedy putting of the said Orders and judgment of the said Committee in execution, it being our will and pleasure that all due obedience be yielded thereunto.

Whitehall, 29 March, 1654.

[OLIVER P.]³⁶

This document, so characteristic of the long conflict between the civil and military authorities and of the Protector's great concern for the honor of the army and his own in their engagements was not the only matter connected with Ireland which came to his attention at this time. Toward the end of March he wrote to Fleetwood outlining a design — later put into execution by the Council under the Protector's personal direction — for sending men to the north of Ireland prepared to go to the assistance of the English forces in western Scotland, menaced by the Glencairn rising now coming under the command of Middleton.³⁷

³⁴ *Ibid.*, ff. 15-16.

³⁵ Dunlop, *Ireland under the Commonwealth*, ii, 615-6.

³⁶ Pr. in *ibid.*, p. 414, from orig. in Irish Record Office, A/28, 26, f. 32.

³⁷ Thurloe, ii, 224; *Cal. S. P. Dom.* (1654), p. 77. Fleetwood replied "If my Lord Protector intends that designe, which he writh unto me about, wee shal be able to furnish him with the men; but the difficulty wil be to transport the horse." (Thurloe, ii, 224.)

Meanwhile the government proceeded with its legislative programme by promulgating another series of ordinances in the last ten days of March. Of these the first called for the maintenance of all former acts for the relief of all who had served Parliament, with the proviso that the construction which was most favorable to those concerned should be put on every clause. The second suspended the proceedings of judges named in an Act passed by the Nominated Parliament for the relief of creditors and poor prisoners, which had called for the sale of prisoners' property and the continued confinement of wilful debtors or those who ran into debt through vicious course of life. This piece of legislation, so characteristic of the Barebones Parliament, was nullified except in so far as to empower the judges to remand or recommit prisoners who had already been set at liberty. A third ordinance prohibited cock-fighting, which seems to have increased in popularity after bear-baiting had been forbidden by the Long Parliament. On the other hand, hurling and wrestling matches, like the one held publicly in Hyde Park on May 1, were, if anything, encouraged. Finally, on March 31 there was passed a much needed ordinance providing for "mending and keeping in repair the common highways," with provisions for surveyors and means of upkeep, not forgetting special taxes for that purpose.⁸⁸ And among these items of more important business the Protector found time to sign various commissions, of which one, dated April 3, for one Samuel Style as ensign of foot has been preserved.⁸⁹

More important than any of these matters was the case of the Portuguese ambassador's brother who since his escapade in the New Exchange had been kept prisoner in the Tower awaiting his trial, despite every effort of the ambassador to secure his release. The case was unprecedented and was complicated by the claim of Dom Pantaleon to ambassadorial privilege, since he held a commission to represent his sovereign in his

⁸⁸ This legislation may be found in *Coll. of Proclamations* (1654), pp. 183-217; in the newspapers of the time; and in Firth and Rait, ii, 859-69. As to the wrestling matches in Hyde Park, Gardiner, quoting the *Weekly Intelligencer*, says that Cromwell was present, but *Sew. Proc.*, Apr. 27-May 4, says specifically that he was not.

A supplementary ordinance regarding the upkeep of roads was pub. Apr. 12; and on March 31, apparently, Cromwell bought Sir John Wostenholme's house in Seething Lane as the first "standing" office for the Navy Board (*Cal. S. P. Dom.* 1654, p. 88; S. Pepys' *Naval Minutes*, ed. J. R. Tanner (1926), p. 274; cp. *Eng. Hist. Rev.*, xi, 20).

⁸⁹ Listed for sale in Maggs' *Cat.* no. 451 (1924), item 741. Style served under Monk in Scotland and was a member of his council there in 1659.

On April 5 the Protector appointed John Rowe one of the public preachers at Tiverton, Devon, in place of Lewis Stukely; cal. in Tatham, *John Walker and the Sufferings of the Clergy* (Camb., 1911), p. 253; *Cal. S. P. Dom.* (1654), p. 280: "Rowth . . . settled by his Highness' order."

brother's absence and was exempt from any punishment save expulsion from the country. It was thus a matter of concern not only to the legal profession but to the Protector, who was equally unwilling to have his foreign relations disturbed at this time or to permit such a flagrant abuse of extra-territorial privilege to go unpunished. In January, Chief Justice Rolle, assisted by two puisne justices, two admiralty judges and two civilians, had submitted an opinion to the effect that Dom Pantaleon could not plead his diplomatic status as a bar to trial by an English court.⁴⁰ On April 3 the Portuguese ambassador obtained an audience with the Protector in which he seems to have divided his time between pressing for a conclusion of the treaty and pleading for his brother's life.⁴¹ The most he could secure, however, seems to have been an order for the examination of one of Dom Pantaleon's associates and the setting of a date for the trial. The examination was held on April 7,⁴² and it was decided that Dom Pantaleon was to be brought before the Upper Bench. A month later Cromwell appointed Chief Justice Rolle to preside over the trial, with Justice Atkins, Serjeant Steele and six civilians, including the Royalist Dr. Zouch as members of the court.⁴³ Their decision that, although the accused was of the ambassadorial household and so had certain extra-territorial privileges, these had not been extended to cases of murder and Dom Pantaleon must be tried under English law, was due in part at least to the pressure of public opinion, and was concurred in by the Protector. For if he was unwilling to have his foreign relations disturbed, he was still more unwilling to be criticised for overlooking such abuse of diplomatic immunity and such loss of prestige as it would occasion. That, under the circumstances, he could not permit, nor perhaps could any government afford such an affront.

It was especially true at this moment when he was engaged in settling the details of his administration and involved in a variety of negotiations with foreign powers. The day after he saw Peneguiaõ, Cromwell attended the Council meeting bringing with him the Great Seal which had been in his custody for two days, and sending for Widdrington and Lisle, he informed them that they and Whitelocke were to be continued as Commissioners, heard them take the oath of office and committed the Seal to their care.⁴⁴ From this piece of business the Council proceeded to appoint two commissioners to treat with Bordeaux and three to treat with Cardenas.⁴⁵ Some time during the same day the Protector received the Swedish resident, Benjamin Bonnel,⁴⁶ who in December, January

⁴⁰ *Cal. S. P. Dom. (1653-4)*, pp. 360-62.

⁴¹ *Sev. Proc.*, Mar. 30-Apr. 6; Whitelocke, *Swedish Embassy*, ii, 134.

⁴² Deposition of William Matham, Thurloe, ii, 222-23.

⁴³ *Cal. S. P. Dom. (1654)*, p. 156.

⁴⁴ *Ibid.*, p. 73; *Sev. Proc.*; *Merc. Pol.*; *Perf. Diurn.*; Whitelocke, *Swedish Embassy*, iii, 133.

⁴⁵ *Cal. S. P. Dom. (1654)*, p. 73.

⁴⁶ *Sev. Proc.*, Mar. 30-Apr. 6; *Perf. Diurn.*, Apr. 4.

and March had remonstrated with the Protectoral government over the seizure of Swedish merchant and fishing-vessels and demanded their restitution. His protest was effective, for after an investigation by the Committee for the Admiralty and Navy on May 12, the Protector and Council ordered the goods from the interned ships to be withheld from sale.⁴⁷

In such fashion, so familiar to those who conduct the affairs of a nation, the Protector spent his days, dividing his time between matters of the greatest importance and those of little general significance, while the main business of the moment, the Dutch treaty, was being prepared for his signature. By March 31 the Dutch envoys and the English commissioners were able to announce that the details of the treaty were arranged and that the document was ready to be copied, and on April 5 they signed it and sent it to the States General with the provision that they must sign it within a fortnight.⁴⁸ That treaty, the first great accomplishment of the Protectorate in the field of foreign affairs, was in the nature of a compromise but a compromise on the whole favorable to England. The plan for an amalgamation of the two countries had been reduced to that for a close union and that in turn to an agreement for mutual defence against a third power, each state to lend aid to the other if required but at the expense of the state appealing for aid. To this was added a general clause requiring from each state the expulsion from its territory of enemies or rebellious elements of the other, which, in effect, excluded the Stuart princes from Dutch territory, though they were not mentioned specifically. The "honour of the flag" was conceded by the Dutch to British vessels "in the British seas," and in so far the question of English supremacy in the four seas was conceded; but the question of "war guilt" was omitted.

What was of more material importance, however, was the provision for indemnity, especially for that ancient grievance, now some thirty years old, of the Amboyna massacre which had virtually driven the English from the Spice Islands. The English claims for that outrage and for other damage done by the Dutch East India Company had been drawn up in June, 1652, in two schedules.⁴⁹ Of these the first was an account

⁴⁷ Thurloe, ii, 299-301. Thurloe replied by order from Cromwell, the first dated March 10. Whitelocke, *Swedish Embassy*, ii, 14-16. On May 20 Bonnel addressed a protest to Cromwell concerning other ships. Thurloe, ii, 299-301.

⁴⁸ Thurloe, ii, 202; *Perf. Diurn.*, Apr. 1. Treaty (in Latin) pr. in *Verbael*, pp. 357-67; J. Dumont, *Corps Universel Diplomatique* (Amst., 1726-31), vi, 2, 74. The original is in the Pub. Rec. Office, S.P. For., Treaties, 300. Pub. as *Articles of Peace*, etc. (1654), and later as *The Articles of the Perpetual Peace* (1654). MSS. in *Stowe MSS.*, 133, f. 307. Pr. in abbreviated form in *Merc. Pol.*, Apr. 27-May 4, May 4-11. Cp. *Perf. Diurn.*, Apr. 5. See App. I (1a) for text of the treaty.

⁴⁹ Milton, *Works* (Columbia), xiii, no. 43a.

of the "particular real damages sustained by the English Company" in the East Indies, beginning with a sum of nearly £75,000 previously noted, and continuing with £50,000 for the income of Pularoon from 1622 to 1652 and other items amounting to just over £220,000. The second was a supplementary claim which brought the whole amount of the claims to exactly £1,681,816/15/00 with a note that "the interest from that time [1624] will far exceed the principal," against which the Dutch set an almost equally large sum for their damages.

The Dutch agreed to do justice on the Amboyna murderers "as the English Commonwealth thought fit to style them," if they could be identified and apprehended, which after thirty years seemed improbable. The mutual wrongs suffered in the Anglo-Dutch rivalry were to be referred to a board of arbitrators chosen equally from each country, and, in accordance with Cromwell's suggestion, any questions unsettled at the end of three months were to be submitted to the Protestant cantons of Switzerland. The Dutch agreed to meet the losses of English ship-owners whose vessels had been detained in the Sound and another arbitration committee was appointed for this purpose with the understanding that if they had not reported by August 1, its members should be confined without fire, candles, food or drink until they reached an agreement — which they did on July 31 by awarding just under £100,000 to the complaining ship-owners. The other board of arbitrators meanwhile awarded Pularoon to England and ordered the Dutch East India Company to pay £85,000 to the English Company and £3,615 to the representatives of the Amboyna victims. Finally, though the treaty was signed, as the price of his ratification the Protector held de Witt responsible for an Act by Holland excluding the Prince of Orange from holding office under the States General.

Though this was by far the most important business before the Protector and his Council at this time, it was by no means the whole of that business. Among the many details which consumed the Protector's time and energy while the matter of the Dutch treaty was being put in final form, he signed three passes;⁵⁰ recommended one John Windebank to the vice-Chancellor of Oxford for the degree of Doctor of Physic⁵¹ — which, as it happened, was the beginning of a distinguished medical career; and signed an order for a patent for Captain Henry Hatsall, militia commissioner of Devon since 1651, and voted £300 in 1649 for his

⁵⁰ Apr. 4 for the captain of a Dutch fishing boat; Apr. 6 for Thomas Jarmine to go to France; Apr. 7 for Captain Laurens Cruysen for his man-of-war to go to Holland. (Copies in *Rawl. MSS.*, A328, ff. 20-21.)

⁵¹ Read in Convocation Apr. 5. Copy in Oxford Univ. Archives, *Acts of Convocation*, 1647-59, p. 241. This was the son of the old secretary of state, Sir Francis. He practiced at Guildford, was fellow of the Royal College of Physicians in 1680 and was buried in Westminster Abbey. Pr. in App. III, *infra*.

services, to compensate him for his sufferings as a prisoner in the Isle of Jersey:⁵²

Order to the Attorney General Prideaux

OLIVER P.

It is our pleasure upon consideration of the reasons in the petition and report herewith annexed, That Mr. Attorney General do prepare a patent to pass under the Great Seal, by which is to be granted unto the petitioner, Captain Henry Hatsall, the house and farm of Saltrum in the county of Devon, as the same was lately surveyed, and returned to the trustees at Drury House, and which was formerly held by the petitioner for the term of four score and nineteen years, if the debt for which this with other lands was extended be not before paid, and satisfied, and under the yearly rent of twenty eight pounds, with convenient clauses, and provisoes in like cases usual, and necessary. Given at Whitehall 7th of April, 1654.⁵³

In itself the document seems unimportant, but it is another evidence of the fashion in which Cromwell rewarded faithful supporters like Hatsall, who was to be elected to the Parliament about to be called, and was evidently a man of some consequence in his district. Like a good politician, the Protector looked after his followers at home even while he dealt with great issues abroad. In a sense the two were not unconnected, for on his success in maintaining his position at home depended his importance abroad, and his success abroad did much to maintain his position at home. Of this there was at this moment a striking instance. As soon as it seemed certain that the Anglo-Dutch treaty was to be signed, Whitelocke was able to bring his negotiations with Sweden to a close. He had weighed carefully the advisability of proceeding with his negotiations after the change in government, but he had gone on, and the Dutch treaty greatly strengthened his position, for it seemed to indicate the strength and stability of the Protectoral system. Whitelocke had, in fact, found it less difficult to assure Queen Christina of that fact than he had been able to assure himself, much less the Chancellor Oxenstierna, who, though expressing the highest admiration for Cromwell, doubted whether his government would be any more permanent than that which it had overthrown.⁵⁴ The Anglo-Dutch treaty seemed to indicate that the United Netherlands at least had confidence in Cromwell's administration and that produced a favorable reaction not only in Sweden but elsewhere on the Continent. It was, in fact, not merely a diplomatic triumph such as might well be expected after a successful war, it gave England what she had long lacked, a standing in European affairs.

That was most clearly revealed in the Swedish negotiations. Despite

⁵² *Cal. S. P. Dom., passim.*

⁵³ *Rawl. MSS., A328, f. 20.*

⁵⁴ Whitelocke, *Swedish Embassy*, i, 314, 326, 333-6, 339-44.

his misgivings, on January 18 and again on the 27th Oxenstierna read over and discussed Whitelocke's draft of suggested articles for a commercial treaty;⁵⁵ while the Spanish ambassador was most attentive to Whitelocke in the hope of being able to arrange a three-cornered treaty, between England, Sweden and Spain, an arrangement which the Queen herself favored. She went farther than diplomatic amenities required, going horseback-riding with the ambassador, discussing the treaty and advising him how to deal with her Chancellor.⁵⁶ How important the Dutch treaty was to England's position was further revealed by Oxenstierna who had told Whitelocke on February 10 that Sweden's relations with England would depend on the outcome of the negotiations in London,⁵⁷ but the Queen, who apparently had been captivated by the romantic rise of Cromwell was determined to make terms. She saw to it that the most cordial relations were maintained, she consented to being Whitelocke's valentine, and sent him a somewhat embarrassing gift of twenty-five reindeer, which the ambassador assumed were intended for his master, but which unfortunately died before he could find a way to send them to England.⁵⁸ She adhered to the idea of a tripartite treaty between Sweden, England and Spain, which was beyond the limits of Whitelocke's instructions, and on March 9 went into the treaty in detail offering a few objections to parts of it. Matters were so far advanced by that time, however, that on the next day Whitelocke wrote to Thurloe to ask Cromwell's permission to sign the treaty, to which he received a paper of additional instructions in reply:⁵⁹

OLIVER P.

Additional Instructions to my Lord Whitelocke, Our Ambassador Extraordinary to her Majesty the Queen of Sweden.

Having considered the particular account which you have given by your weekly letters of your negotiation in Sweden, and the delay which hath been on the part of that Court in the Treaty you are upon, We might have well given you positive orders for your speedy return, but observing that the letters and dispatches between this and Sweden are a' month in their way, and not knowing how affairs may alter in that time with you; and the pretense of their delay, to wit, the uncertainty of the issue of the Treaty between Us and the United Provinces being removed, as you will see by those letters which will assure you of the full conclusion thereof, We have thought it more convenient to leave you a latitude in that particular and to give you liberty, as We do hereby, to return home at such time as you shall find it for the service of the Commonwealth.

⁵⁵ *Ibid.*, pp. 344-50, 381-8.

⁵⁶ Whitelocke, *Swedish Embassy*, i, 419; 422, 430, 432 ff.

⁵⁷ *Ibid.*, pp. 423 ff. See Whitelocke's letter to Cromwell, March 3, in Thurloe, ii, 133-4.

⁵⁸ Whitelocke, *Swedish Embassy*, i, 442-3, 447; Thurloe, ii, 103, 111.

⁵⁹ Whitelocke, *Swedish Embassy*, i, 486 ff.; Thurloe, ii, 155-8.

2. Whereas by your letter of the 10th of March, 1653 you have represented the particular debates which you have had upon all the Articles of the Treaty and the exceptions taken by the Queen upon the 2, 5 & 7th articles. You are hereby authorized to omit the 2 & 5th articles out of the Treaty, and also those words *bona a suis cuiusque inimicis direpta* out of the seventh article if the Queen shall still insist thereupon. And as for the comprehending the Dutch in this Treaty with the Queen of Sweden notice shall be given from hence, if it shall be found necessary.

3. You have hereby power to agree with the Queen of Sweden that She and her subjects may fish freely for Herrings in the Seas of this Commonwealth, paying the recognition of the tenth herring, or for a lesser recognition, so as it be not lesser than the 20th herring, or for the value thereof in money.

Whitehall,

7 Apr. 1654.⁶⁰

SCOTLAND

These instructions crossed a letter from Whitelocke assuring Cromwell that if the Dutch signed the treaty with England, Sweden would consent to a treaty of general amity and commerce and that, unless he had further instructions, he would ask for nothing more.⁶¹ That was, in fact, all that was necessary and more than could have been hoped for before the agreement with the Dutch. It enormously strengthened England's position not only in the diplomatic but in the military field, at home as well as abroad. With the Dutch war out of the way and a friendly arrangement with Sweden, the task of the English fleet was greatly lightened, and the English government correspondingly relieved not only of anxiety but of the drain on its resources in men and money. More than that, it released forces and leaders for use elsewhere, especially in Scotland. There things had gone badly for the Commonwealth which in addition to the general opposition to English rule now faced the threat of Glencairn and Middleton from the Highlands. On April 1 Lilburne wrote to Cromwell that the feeling of the Scots against the English government was far stronger than the Protector or even some in Scotland realized.⁶² That was hardly true for two months earlier the Council had decided to replace Lilburne with Monk, but that change in commanders had been impossible until now. The Dutch peace altered the whole situation and on the very day that it was signed, a draft of instructions for Monk was approved by the Protector and Council,⁶³ a regiment

⁶⁰ Kindly communicated by the Marquess of Bath from the original in vol. xv of the Whitelock Papers in his library at Longleat, Wilts. Cal. in *Hist. MSS. Comm. Rept.* 3, App. p. 192. Pr. in Whitelocke, *Swedish Embassy*, ii, 134-5.

⁶¹ Thurloe, ii, 170. A letter to Thurloe on the same date asked him to speak a good word to Cromwell in behalf of Whitelocke's son (*ibid.*, pp. 171-3).

⁶² Firth, *Scotland and the Protectorate*, p. 67.

⁶³ *Cal. S. P. Dom.* (1654), p. 76.

in the north of Ireland was ordered to cross over to his assistance,⁶⁴ and Monk's commission was signed.

Instructions to General Monk, Commander-in-Chief of the Forces in Scotland

April 6, 1654

You are to repair quickly to Scotland, and learn the state of that country, particularly the Highlands, and the best way of reducing them, and to report from time to time.

To promote the preaching of the Gospel and true religion, and to see that ministers who are qualified for their office receive their maintenance, and due protection and countenance.

To suspend any magistrates, sheriffs, or officers found incapable, to secure any dangerous, and to certify us.

To administer any oath to any person whatsoever.

To arrest and confine any opposing the Government, and to release them as you see cause.

To protect any in arms in Scotland, and grant them fit pardons (except those who are or shall be excepted from any Ordinance of grace to the people of Scotland); to make declarations and proclamations to that effect, and to assign days for such persons to come in, provided they do not extend to any having land to the value of 400 l. a year, or property of 4,000 l.; and to send forth any other proclamations you judge necessary.

To erect such forts as you think necessary for the security of the nation.

To reward those who bring in persons whose names are published by you for that end, and those employed to gain intelligence.

To use any printing presses for printing and publishing anything you think fit, and to prohibit their use when and where you see cause.

To charge the receipt of customs in Scotland for payment of salaries to the judges, commissioners for sequestration, and other officers, and the charges of administration of justice; the overplus of the customs, and also the moneys arising by assessments and sequestration are to be for contingencies, except so much as shall be charged monthly by the Army Committee, towards the pay of the forces in Scotland.

In case any robbery be committed and the actors escape to the enemy, you are to cause the shire wherein the act was committed to make full satisfaction; and in case of murder, to impose on the shire such fine as you think fit.

To entertain into the service of the Commonwealth, if you find it advantageous, by retrenchment of your present number, one regiment of Highlanders not exceeding 600, beside officers.

As it appears that many in Scotland encourage their friends and kindred to go in to the rebels in the Highlands with horses, money, victuals, or arms, to the prejudice of the Commonwealth, you are to impose on any so offending the like proportion of horsemen, arms, and money as was sent to the enemy, viz., for every horse 1s. 6d. a day; for a man 12 d.; and for arms, money and victuals proportionably; and in case full proofs be wanting of the encouragers of such persons as went to the hills, you are to charge this proportion on the parish where they lived 2 months before their going,

⁶⁴ *Ibid.*, p. 77.

provided the imposition remain no longer than until the persons, horse, and arms be delivered to you, or by your permission be returned to your quarters. All moneys so raised to be given in to the Treasury of Scotland.

You shall not give leave to any officer to be wanting from his charge above 3 months at most, except by special order from us, or the major-general of the army, and no commissary of muster shall pass any in the muster after 3 months' absence.

You shall not give leave to above 2 of the colonels, one lieut.-colonel and 2 majors, nor above 1 captain of a regiment of horse, and 2 captains of a regiment of foot to be absent at the same time.

On apprehension of any Englishman who shall be proved to have been in arms with the enemy in the Highlands, you are to cause him to be put to death.

You are to transport to foreign English plantations such of the enemies now in arms in the Highlands as shall be in your power, when and how you choose.⁶⁵

Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland and the dominions and territories thereof.

To our right trusty and well-beloved Colonel George Monck, Lieutenant-general of the Ordnance, and one of the Generals-at-Sea, Greeting.

We reposing special trust and confidence in your approved integrity and fidelity to the cause of the commonwealth, and in the wisdom, courage, discretion, conduct, and experience in military affairs, do hereby constitute and appoint you commander in chief of the army and forces in Scotland, raised and to be raised for the service of the commonwealth; giving and granting unto you full power and authority to rule, govern, command, dispose, and employ the said army and forces in every part thereof, and all officers and others whatsoever, of and belonging to the same, in, for, or about all defences, offences, executions, and other military and hostile acts and services, for the beating down and suppressing of the rebellion within the said nation, and for the settling and maintaining of the publick peace there; and also (if need require) to lead and conduct the said army and forces, or any part thereof, against the rebels and enemies of the publick peace of the said nation, and them to pursue, invade, resist, kill, and destroy by all ways and means whatsoever; and also to command all garisons, forts, castles, and towns within the said nation already garrisoned and fortified, or to be garrisoned and fortified; and also full power and authority to execute, or cause to be executed, martial law, according to the course and customs of wars, and according to the laws and ordinances of wars allowed by any act or ordinance of parliament, upon or against any person or persons offending against any of the said laws or ordinances of war; and also full power and authority from time to time, by yourself, or others deputed and authorized by you, to take up and use such carriages, draughts, horses, boats, and other vessels, as in your discretion shall be thought needful for the conveying and conducting of the said ordnance, artillery, ammunition, money, victuals, or any provisions, or ammunitions of war necessary or requisite for the same army or forces, or any part thereof, to or from any place or places, in order to the said service; and also full power and authority to do and execute all other things, as belonging to the place of a

⁶⁵ *Ibid.*, pp. 83-5.

commander in chief of an army shall be requisite and necessary for the carrying on and accomplishing of the premises. And all commanders, officers, and soldiers of the army, forces and garrisons, are hereby required to obey you their commander in chief, according to the discipline of war. And all sheriffs, justices of the peace, mayors, bailiffs, and other officers and persons whatsoever in the said nation, are likewise required to be aiding and assisting to you in their respective counties and places, for the ends and purposes aforesaid. And you are, in the prosecution and execution of all and singular the premises, to observe and follow all such instructions, orders, and directions, as you shall from time to time receive from ourself or our council.

Given under our hand and seal at Whitehall the eighth day of April 1654.
 [OLIVER P.]⁶⁶

On April 10 Monk left London with his commission and instructions to try to bring Scotland to submission,⁶⁷ and on the next day, no doubt as part of the arrangement with the General, Cromwell referred to the Council Monk's petition for lands in Wexford and Kildare on account of arrears due him for his service in Ireland.⁶⁸ Meanwhile the ordinance for the union between England and Scotland was being perfected and on April 12 it passed the Council with the Protector present and approving.⁶⁹ It was accompanied by other ordinances designed to supplement and confirm the arrangement — an ordinance of "pardon and grace to the people of Scotland," another for erecting courts baron there, and a third for "settling the estates of several excepted persons in Scotland, in Trustees."⁷⁰ These, coupled with Monk's well-known severity and his offer of amnesty for all persons who laid down their arms within twenty days with a reward of two hundred pounds for Middleton and four other Scottish leaders, dead or alive, it was hoped would bring the disturbances in the northern kingdom to an end, and that hope was justified.

The ordinance of union provided for the virtual amalgamation of the two nations, the abolition of kingship and the abrogation of allegiance to the Stuarts, and joining of the coats of arms of the two countries wherever those arms appeared. The customs barriers between the two countries were removed, taxes were to be "proportionable" and vassalage and lordships were abolished. With these measures in addition to those already passed, the policy toward Scotland was clearly defined. It was not merely to unite the two nations in a single state, but to break down in so far as possible the feudal rights and obligations which had distinguished Scottish polity; to weaken or destroy the strength of the elements which supported the Stuart cause; to give Scotland a system of legal administration more in accord with English principles of justice; and to secure the

⁶⁶ Thurloe, ii, 222.

⁶⁷ *Merc. Pol.*, Apr. 6-13.

⁶⁸ *Cal. S. P. Dom.* (1654), p. 106.

⁶⁹ Firth and Rait, ii, 871-5. In *Perf. Diurn.*, Apr. 24; *Merc. Pol.*, Apr. 20-27.

⁷⁰ Firth and Rait, ii, 875-88. *Coll. of Proclamations* (1654), pp. 231-77.

support of as many classes and individuals as possible by a more "democratic" system which would conciliate the middle classes as against the aristocracy. Thus with a combination of force, concession and threat it was hoped that the northern kingdom would be subdued.

To these ordinances were added others which went to make up the Cromwellian code now being framed. That forbidding the cultivation of tobacco in the British Isles was admittedly a concession to the plantations in America. Three others looked to a more fundamental reform which had long been sought by the revolutionary party. The first, published on April 3, was to continue an Act for the probate of wills. The second, on April 8, was to avoid further "abuses and corruptions"; the third, of April 11, was for the adjournment of part of the Easter term of courts.⁷¹ This last was assumed to be the prelude to further legal reforms. As Thurloe observed on April 7, the Protector was "very much resolved upon a good and solid reformation of the law and proceedings in the courts of equity and lawes; the matter of the law he hath committed unto Mr. Justice Hale and Mr. John Vaughan, the reformation of the Chancery to my lord Widdrington, Mr. Attorney General and Mr. Chute; being resolved to give the learned of the robe the honour of reforming their own profession, and hopes that God will give them hearts to doe it; and that no time may be lost, the next term is adjourned."⁷² To this the news-sheets added that Cromwell was considering filling up the benches in Westminster for the next term,⁷³ and it is evident from every indication that he proposed to carry through if possible those reforms in legal procedure which the Nominated Parliament had so greatly desired and so woefully failed to accomplish.

From such activities he turned to Irish matters. During the week of April 10 he signed a warrant to Gualter Frost of that date to pay £14 to a certain Jenkin Lloyd for expenses incurred during a journey to Ireland.⁷⁴ Lloyd had been employed earlier to carry messages from Parliament to Cromwell in Scotland and Ireland and to bring back reports on conditions in those countries, an arrangement which was evidently continued, for the Protector signed at least two other like warrants for him before the end of the year.⁷⁵ In this case Lloyd may have accompanied

⁷¹ Firth and Rait, ii, 869-71; *Merc. Pol.*, Mar. 30-Apr. 6; Apr. 6-13; *Perf. Diurn.*, Apr. 4, 10, 12; *Cal. S. P. Dom.* (1654), *passim*. See also *Coll. of Proclamations* (1654) for text of these. Crawford lists two proclamations for adjourning part of the Easter term dating them Apr. 6 and Apr. 8, with slight differences in the wording.

⁷² Thurloe to Whitelocke, Apr. 7, in Whitelocke, *Swedish Embassy*, ii, 133.

⁷³ *Sev. Proc.*, Mar. 30-Apr. 6.

⁷⁴ Copy in *Rawl. MSS.*, A328, f. 21. Maggs' Catalogue, no. 196 (1903), item 350, lists a warrant with Cromwell's signature dated April 10, 1654.

⁷⁵ *Rawl. MSS.*, A328, ff. 95, 163.

Henry Cromwell who landed in Wales on March 21 and soon after arrived at Westminster with a report that he had left Ireland quiet and obedient.⁷⁶ On this same April 10 Cromwell wrote to the Commissioners in Ireland in behalf of one Ralph Blomer, agent for the regicide Gregory Clement who had advanced money for the defence of the Munster garrisons; had received seven thousand acres in payment,⁷⁷ and was one of the men appointed in June, 1653, with Methusaleh Turner to devise a plan for the allotment of Irish lands.

'To the Commissioners for Ireland'

Being informed that this bearer Francis Blomer esq. is speedily to repair into Ireland, being employed by Gregory Clement esq. concerning some lands in the King's County, assigned to him for his Adventure, and whereas the said Blomer, as I am also informed, hath undertaken to transport near 100 families, who are also to go along with him for the planting of the said lands, it is my will and pleasure, upon his application to you, that you give order for the speedy surveying and setting forth the said lands unto him for the settlement of those people, that they be not too burdensome to him, and to show him all lawful favour and countenance in his addresses to you for their encouragement.

Whitehall, 10 April 1654.

[OLIVER P.]⁷⁸

While the settlement of Ireland was proceeding by such means and under such auspices and the officers of the army in Ireland were engaged in composing a letter acknowledging his government,⁷⁹ the Protector as usual was being both commended and assailed at home. On the same day that he wrote to the Irish Commissioners he received a delegation from Newcastle bearing an address of congratulation,⁸⁰ while at the same time justices of the peace in Middlesex and Northamptonshire were examining men for maligning him.⁸¹ Still more significant was the attitude of the newly-formed Society of Friends or "Quakers," two of whose leaders, Francis Howgill and John Camm, at this moment addressed to him an argument in favor of toleration published on April 8, after they had come to London to convert him to their views,⁸² and, if possible, to their form of faith. To Cromwell's arguments which apparently contained some

⁷⁶ *Cal. S. P. Dom.* (1654), p. 464. See also *Cal. S. P. Ven.* (1653-4), p. 203; *Sev. Proc.*, Mar. 23-30.

⁷⁷ Expelled from the Long Parliament in 1652 for an affair with a servant girl, he apparently did not proceed with his plantation. Executed at the Restoration.

⁷⁸ Pr. in Dunlop, *Ireland under the Commonwealth*, ii, 417 from the original then in the Irish Record Office, A/28, 26, f. 32.

⁷⁹ Dated Apr. 15. In *Perf. Diurn.*, May 1; *Merc. Pol.*, Apr. 27-May 4.

⁸⁰ In *Merc. Pol.*, Apr. 13-20. On Apr. 3 Cromwell thanked York for a loyal address which is pr. in *Perf. Diurn.*, Apr. 13; *Merc. Pol.*, Mar. 30-Apr. 6.

⁸¹ *Cal. S. P. Dom.* (1654), pp. 89, 93 (Apr. 11, 13).

⁸² This was the Word of the Lord which John Camm and Francis Howgill was moved to Declare to Oliver Cromwell (Apr. 8, 1654). Howgill and Anthony Pearson started the first Quaker meetings in London, in Watling Street.

legal objections, Camm replied with a pamphlet published on June 10 called *Some Particulars Concerning the Law*.⁸³ After their conversation with him, they reported that he was

"too wise in comprehension and too high in notion to receive Truth in plainness and demonstration of the Spirit. . . . He pleads for every man's liberty and none to disturb another, and so he would keep up himself by getting or keeping favour with all." He wore a rough coat "not worth three shillings a yard"; he "condescended" to offer them anything they needed. "He holds that all the worships of this nation is the worship of God, but the blind cannot judge of truth."⁸⁴

The news of the disturbance raised by the more extreme sects in England had found its way to the Continent where it doubtless lost nothing in the telling of the strange and fantastic principles and practices of the more fanatical elements. In Sweden where Christina was preparing to abdicate the throne in favor of her cousin the Prince Palatine of Deux Ponts or Zweibrücken, who was to become Charles X Gustavus, she and her ministers gave ample evidence of friendship and had many informal conferences with Whitelocke; the old Chancellor Oxenstierna ventured to express some opinions on the English situation and even give some advice to the ambassador. The Protector, he said, should take heed of dangerous religious opinions which had so deeply rooted themselves among his subjects; he should be careful to provide not only money but employment for his soldiers to prevent disorders among them; and he should be especially watchful of the Royalists. To this last piece of advice Whitelocke replied that Cromwell was most vigilant and his precautions were the very life of his government. He agreed to tell the Protector of the Chancellor's advice to avoid the appearance of ruling with an iron sceptre and to give the English the advantage of good laws.⁸⁵

The concern of Oxenstierna for the stability of Cromwell's government was natural in view of the treaty about to be signed. Whitelocke was not only touched but disturbed by Christina's confidence in the Protector's friendship and her fears for her own future. When she suggested a secret article in the new treaty which would nullify its effect if Sweden's obligations to her were neglected, he tactfully suggested that it might be better for her to write directly to Oliver and elicit a reply which could be used by her as evidence of the Protector's good will — and incidentally avoid the embarrassment of committing his country to the support of the erratic queen.⁸⁶ To this she agreed; the provisions of the treaty were settled on April 11; and though it was not signed by Whitelocke, Oxen-

⁸³ The *Dict. Nat. Biog.* says that Camm published presently a pamphlet entitled *A True Discovery of the Ignorance, Blindness and Darkness . . . of Magistrates.*

⁸⁴ William Braithwaite, *Beginnings of Quakerism* (L., 1912), p. 156.

⁸⁵ Whitelocke, *Swedish Embassy*, ii, 59–60.

⁸⁶ *Ibid.*, ii, 61, 64–65, 98.

stierna and his son Eric until the 28th, the latter insisted it be dated April 11, the day its terms were approved.⁸⁷

The happy conclusion of the Swedish negotiations was not the only echo of the treaty with the Netherlands. Some time during the early part of April the Protector received the envoys of Anthony Gunther, Count of Oldenburg.⁸⁸ These men, Wolzogen de Missingdorff and the Chevalier Christopher Gryphander, brought credentials dated January 20 and instructions to congratulate the Protector, assure him of the Count's friendship, and ask for the comprehension of Oldenburg in the treaty with the Netherlands.⁸⁹ During the winter of 1652-3 Oldenburg had joined in negotiations between Holland, Norway, Brunswick, Bremen and the Hanse towns for an alliance against England.⁹⁰ That alliance had never been formed, but in spite of their master's former hostile attitude, Oliver received the emissaries graciously⁹¹ and doubtless with considerable satisfaction, especially since they presently delivered to him a letter from the Count's nephew John, Prince of Anhalt, who also desired the friendship of England.⁹² At the same time Salvetti, the Tuscan resident in London, who delivered a congratulatory letter, was received with more graciousness than the English resentment over the naval incident at Leghorn had led him to anticipate.⁹³ On the other hand the Danish envoy, Rosenwinge, who had announced his arrival at Gravesend on April 6, was not admitted to audience until the Dutch treaty, in which the question of Denmark had played such an important part, was fully ratified.⁹⁴

So far did the influence of the Dutch treaty spread that it is easy to see why Cromwell had so set his heart on its signature. It was more than a mere treaty of peace; more even than the symbol of the entry of England into the circle of European powers; it was evidence of the stability of his own government, as the altered attitude of the European states testified. Moreover English dominion over the surrounding waters and the influence of her sea-power was evidenced in other ways. Besides his audiences to the foreign envoys, the Protector was called upon to sign various documents at their solicitation. At Bernardi's request he issued a pass for a

⁸⁷ *Ibid.*, ii, 477-88 (Latin and English versions); pr. also in Aitzema, iii, 1086-8; *Recueil des Traitez de Paix* (Amst., 1700), iii, 652-55; Dumont, *Corps Diplomatique*, vi, 2, 80. Ratification by Charles X on July 15, 1656, is in *Recueil des Traitez*, iii, 694-6. Official publication, dated May 9, 1654, *Articles of Peace, Friendship and Entercourse, etc.*, was advertised in *Publick Intelligencer*. Cp. Thurloe, vi, 797-800. For text of treaty see Appendix I (2).

⁸⁸ *Cal. S. P. Ven.* (1653-4), p. 205.

⁸⁹ See Cromwell's letter of June 29, 1654.

⁹⁰ *Cal. S. P. Ven.* (1653-4), p. 31.

⁹¹ *Ibid.*

⁹² Letter, Apr. 7/17, in Thurloe, ii, 220.

⁹³ *Cal. S. P. Ven.* (1653-4), pp. 196, 201, 205.

⁹⁴ Letter in Thurloe, ii, 214.

Dutch ship laden with English goods consigned to Genoa.⁹⁵ As a matter of routine he authorized permits for the Portuguese and French ambassadors to bring in wine, duty free;⁹⁶ and he signed a pass for the French ambassador to Sweden:

To all Our Admirals, Vice-Admirals, Rear-Admirals, Captains and Commanders of Ships, and others whom it may concern

OLIVER P.

Whereas the Lord Baron of Avancourte is about to transport himself from France to Sweden, being sent thither as envoy from his Majesty the King of France: These are therefore to will, and require you to permit and suffer him, with his servants and necessaries to pass to Sweden aforesaid, without any your lets, hindrances or molestations.

Given at Whitehall this 14th day of April 1654.⁹⁷

Under such circumstances, now recognized by foreign powers and for the time being at least free from disturbances within England itself, the Protector took on more and more the appurtenances of royalty. On April 3 Kinnersley and Legge were ordered to send the Council a note of all the furnishings of the palace of Whitehall which had been lent and not returned so that they might be called in;⁹⁸ and on the 13th Cromwell's stewards, Maidstone and Waterhouse, were authorized to have the plate bought for the Protector's use weighed and inventoried.⁹⁹ The bed-chambers for the use of the Protector's family were ready on the 13th and on the next day they dined in the palace.¹⁰⁰ Partly, no doubt, from policy, partly to avoid unnecessary expense, and partly from his own inclination, however, the Protector and his family avoided any attempt to vie with the old royal fashion of living. In consequence the frugality of his table in comparison with the lavish entertainment of his predecessor, and the Lady Protectress' reputed niggardliness, naturally became the subject of adverse comment especially among the Royalists who declared that, though Whitehall was more richly furnished than ever before, the dignity of life there hardly matched the furnishings and that the table-companions of the Protector were but mean persons.¹⁰¹

⁹⁵ Copy in *Rawl. MSS.*, A328, f. 23. Bernardi's letter of March 7/17 to Cromwell is in Thurloe ii, 144-5. Other passes signed by him were for two fishing-boats of Arij Lambert and Arij Gyssen dated Apr. 11 and 12. *Rawl. MSS.*, A328, ff. 24, 28.

⁹⁶ Thirty tuns for the Portuguese on the 11th; twenty tuns for the French on the 14th. *Ibid.*, ff. 24, 27.

⁹⁷ Copy in *ibid.*, f. 26.

⁹⁸ *Cal. S. P. Dom.* (1654), p. 70. Blake and Lenthall were among the bor-
rowers.

⁹⁹ *Ibid.*, pp. 92-3.

¹⁰⁰ *Sev. Proc.*, Apr. 13-20.
¹⁰¹ *Court and Kitchen*, pp. 498ff.; Hyde to Clement, Apr. 28/May 8, *Clar. State Papers*, iii, 240. Frost was ordered to pay Cromwell's steward, Maidstone, £5000 for the expenses of the household (*Cal. S. P. Dom.* (1654), p. 447).

The new dignity now adopted brought with it many changes. Thirty persons, among them some who had been assigned rooms as members of the Nominated Parliament, were given notice by the housekeeper, Embree, to vacate their apartments.¹⁰² Further efforts were made to redeem the honours, manors and royalties of Hampton Court and Windsor Castle from those who had acquired them by purchase or otherwise during the late disturbances.¹⁰³ On Saturday, April 15, the Protector made a visit to Hampton Court,¹⁰⁴ which became almost his weekly practice. On this occasion he returned the same night and on Sunday the 16th he and a secretary took into consideration a petition from one Michael Warner who claimed some money from Welsh drovers for prosecuting their discoveries of delinquents, and he referred the petition with the certificate of the Committee for Sequestrations to the Council.¹⁰⁵

For the rest of his daily routine it appears that he and such of his family as were in residence attended two services a day in the chapel where he listened to the exhortations of his chaplain,¹⁰⁶ and, apart from his weekends at Hampton Court, his time was spent almost entirely, if not wholly, in business. Among its details was the usual matter of receiving delegations, and at this moment there is a glimpse of him at his task. On April 18 there appeared a deputation of the mayor and several officials of Guildford, who, waiting for the adjournment of the Council, were admitted informally to the Protector's presence. He received them in the "Chair Chamber," "left speaking with some gentlemen of quality . . . and came towards them," took the petition, "went to the window and heedfully read it over." The petition, after a courtly exordium to the effect that the suppliants believed he had taken the burden of government upon him not from ambition but from a sense of duty, and congratulating him on his care for a learned ministry and honest and competent judges, appealed to him to continue the corporation of Guildford its ancient privileges, and petitioned that his Highness would not present to the parish, whose living was in his gift, any person who did not have their approbation. To which, still standing, he made his reply:

Speech to the Corporation of Guildford

Gentlemen, I have read your paper, wherein what you there express touching my taking of the government upon me, you say what is truth; I did not desire it, nor have I (I am sure) told you so. I believe God put it into your hearts; I shall desire your prayers that I may do as you have expressed, for God is my bottom and in Him only do I trust. As for your desire of a minister, I

¹⁰² *Ibid.*, p. 70.

¹⁰³ *Ibid.*, p. 99.

¹⁰⁴ *Sev. Proc.*, Apr. 13-20.

¹⁰⁵ *Cal. Comm. for Advance of Money (1642-56)*, p. 878, from *S.P. 19/118, 40.*

¹⁰⁶ *Sev. Proc.*, May 11-18.

think I have not granted the living away, and upon your making choice of such an one as your paper mentions, I shall take order that you shall have your suit.¹⁰⁷

This done, "His Highness asked the value of the living and the quality of the deceased minister, and then dismissed them . . . with so much courtesy and respect as . . . persons who may justly call themselves some-bodies might be well pleased with."¹⁰⁸ This was, indeed, not only his common practice but a part of his regular duties, and besides granting the Guildford petition about this time he signed three orders for the Commissioners of the Great Seal to issue letters patent presenting men to rectories in Nottingham, Cornwall and Devon.¹⁰⁹ Besides this, he received two petitions from London which testified to the altering situation of the capital, then in the process of developing into greater size and importance than it had hitherto enjoyed. The first was from the City officials protesting against the erection of a building at the west end of St. Paul's on the site of what had always been a common highway. The other asked him to approve of the suppression of some of the multitude of that new invention, the hackney-coaches, whose increase had become a common nuisance, besides interfering with the formerly prosperous business of the watermen who had monopolized the carrying of passengers from the City to Westminster by the then great highway of such traffic, the river.¹¹⁰

On Wednesday, the 19th, Sir Oliver Fleming conducted to an audience a certain Lodowic or Louis de Gand, lord of Brachey, who had been in England for two years trying to have his master, the Count of Egmont, recognized as Duke of Guelders and Juliers. Though Philip IV of Spain claimed the title of Duke of Guelders, the Protector, attended by Thurloe and members of the Council, received the envoy and his attendants and replied to his congratulatory address with the usual respect accorded an envoy.¹¹¹ In such fashion did the Protector come into touch for a moment with one of the most complex and difficult questions which disturbed Europe for some centuries. Small as it was, the territory of Juliers or Jülich had been and continued to be for generations a bone of contention not only among the ruling houses of Europe but at this mo-

¹⁰⁷ In *ibid.*, Apr. 20-27. Repr. in *Cromwelliana*, p. 139; and Lomas-Carlyle, Suppl. 88.

¹⁰⁸ *Sev. Proc.*, Apr. 20-27.

¹⁰⁹ Apr. 11, Edward Bendall to Colgrave rectory, Notts; Apr. 17, Samson Bond to Meneage rectory, Cornwall; Apr. 21, Joshua Bowden to Ashburton, Devon. Copies of orders in *Rawl. MSS.*, A328, ff. 22, 25, 29.

¹¹⁰ *Sev. Proc.*, Apr. 20-27.

¹¹¹ *Perf. Diurn.*, Apr. 19; *C. J.*, vii, 313; Bernardi's dispatch, Apr. 25/May 5, in *Atti della Soc. Ligure di St. Patria*, xvi, 156; Paulucci to Sagredo, *Cal. S. P. Ven.* (1653-4), p. 207. His name is misspelled "Grand" by Bernardi and Sagredo, and in *C.J.*

ment, as for some time past, closely connected with the rivalry between Protestant and Catholic powers. There seems to be no record left of further interest in the question or of the result of his interview with the Count of Egmont's envoy, whatever it was, and Cromwell was probably concerned with it no more than as part of his general approach to the Protestant princes of the Rhine then under consideration. But he was not without his reward, for the envoy not only expressed his gratitude to the Protector in a letter but two years later published a eulogium "as the result of his own study and at his own expense" as he pointed out in its title. This he called *Parallelum Olivae, nec non Olivari serenissimi, celsissimi, potentissimique Angliae, Scotiae, Hyberniaeque Dei Gratia Protectoris.* For its adornment he employed the talents of the greatest engraver of the time to produce one of the best of Cromwell's portraits, and his little book remains an extraordinary if not, indeed, unique example of appreciation in diplomatic annals.

While the "lord of Brachey and Romecour," as he styled himself, was still congratulating himself at obtaining a hearing from the Protector, Cromwell was considering the treaty with the neighboring territory of the Netherlands. Before the document was sent there to be ratified, Cromwell had informed Beverning that he himself would ratify it only after receiving assurance that the province of Holland would pass an Act excluding the Prince of Orange from office in the Republic. This ultimatum, which was disclosed to the other Hollander in the Dutch delegation, Nieupoort, was transmitted in a letter to the Estates of Holland. That body, apparently ignorant of the secret article excluding the house of Orange from holding office, was delighted when the treaty arrived without mention of such a provision.¹¹² A week after it had been signed by the Dutch envoys, the Estates resolved to ratify it,¹¹³ and were so desirous of peace that their ratification was actually drawn up before the treaty arrived.¹¹⁴ On the 15th the Princess Dowager of Orange sent her congratulations¹¹⁵ and the matter seemed thus to be arranged to the satisfaction of every one. Cromwell's letter arrived — possibly by arrangement — after the Estates had adjourned and was opened by de Witt,¹¹⁶ who had thus maneuvered his country into a position where it had to accept the exclusion article or fight to continue the right of the house of Orange to hold office. Thus against the wishes of a great part of the Netherlands they were compelled to swallow the Exclusion Act by the adroit and far from ethical maneuver of their Pensionary, in con-

¹¹² Thurloe, ii, 219; *Verbael*, p. 392.

¹¹³ Thurloe, ii, 227.

¹¹⁴ *Ibid.*, p. 235.

¹¹⁵ *Ibid.*, p. 234.

¹¹⁶ *Ibid.*, p. 238; letter Apr. 5/15, in I. A. & P. Nijhoff *Bijdragen voor Vaderlandsche Geschiedenis . . .* (1865), x, ii, 234.



CROMWELL, ca. 1656, BY FAITHORNE

FROM LOUIS DE GAND, "PARALLELUM OLIVAE, NEC NON OLIVARI"

junction with the English Protector. The Dutch ambassadors in London received the document on the 17th and presented it to Cromwell in a silver box.¹¹⁷ The English ratification was drawn up at once; the Protector signed the treaty and issued an order for having it passed under the Great Seal; and the thing was done:

To the Lords Commissioners of the Great Seal

OLIVER P.

Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland. To our trusty and well beloved the Lords Commissioners of the Great Seal of England. Whereas a Treaty of Peace, Union and Confederation consisting of thirty-three Articles is made, and concluded between Us, and the Lords the States General of the United Provinces, and it being agreed by one of the said Articles that the said Treaty should be mutually ratified, and confirmed as well by Us under the Great Seal of England, as by the said Lords the States General under their Great Seal: Now to the end that the same may be performed on Our part, We have commanded that the said Articles be fairly engrossed in a parchment book, adding Our ratification thereunto, which you are hereby required, and authorized to pass under the Great Seal of England. For the doing whereof this shall be your sufficient warrant.

Given at Whitehall this 19th day of April 1654.¹¹⁸

Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland, etc.

To all and everyone whom these presents will reach, or to whom they pertain in any respect whatever, greeting:

Seeing that Commissioners to settle disagreements and to make peace between us and the High and Potent Lords States General of the United Provinces have been constituted and delegated by your side, and strengthened with plenary authority to conclude, contract, and establish with the plenipotentiaries of the Lords States General, despatched to us extraordinarily for the same end, a stable peace, union, and confederation; and after various conferences held thereupon our above mentioned commissioners and likewise the ambassadors and plenipotentiaries of the Lords States General by God's blessing agreed upon and decreed some now firmly established articles and heads of Peace, Union and Confederation, the tenor of which follows below and is inserted word for word, to wit:

Therefore, wishing all and singular matters which are contained and comprised in the above mentioned articles to be entirely executed, aided and efficaciously fulfilled, after holding serious and mature deliberation with ourselves and with our Council on these things, we have approved, ratified, and confirmed, and by these presents, for ourselves and our successors, do approve, ratify and confirm all these things together and singly, according to the true, proper and genuine sense and meaning of them; pledging and promising for

¹¹⁷ Ambassadors to States General, Apr. 21/May 1, Thurloe, ii, 245; *Perf. Diurn.*, Apr. 17.

¹¹⁸ Rawl. MSS., A328, f. 27.

ourselves and our successors that we will sincerely, in good faith and inviolably, according to the form and content of them, aid, observe, and fulfill all these things together and singly; and we will effectually take care that all these things together and singly are aided, observed and fulfilled by all others whom it concerns, and will severely punish without favor or agreement, with any deceit and fraud put aside, all who oppose them. In guarantee and testimony of these things we have signed these our letters patent with our own hand, and have caused them to be confirmed by the Great Seal of England attached thereto.

Given at Westminster on the nineteenth day of April, in the year 1654.

OLIVER P.¹¹⁹

It is not without interest to note as characteristic of the varied interests and activities of Cromwell's life at this, as at so many other times, on this same 19th of April he signed a warrant for the payment of a man who had the distinction of plying his profession as printer not only to the Protector but to Charles II, James II and Anne. A protégé of John Lilburne, Hills had served in the Parliamentary army, he became a warden of the powerful Stationers Company, and with Dugard and Field he had the distinction of doing most of the printing for the government during the Commonwealth and the Protectorate:

To Gualter Frost

OLIVER P.

These are to will and require you out of such moneys as are or shall come to your hands for the use of the Council to pay unto Henry Hills the sum of fifty-four pounds in full of his bill annexed for printing before he was joined to William Dugard. Of which you are not to fail and for which this shall be your warrant.

Given at Whitehall the 19th of April, 1654.¹²⁰

With the ratification of the peace with the United Provinces the first great step in the Protectoral foreign policy had been taken, and on the next day, April 20, there was held an important meeting of the Council to decide on the next move. By that time the Protector had in his hands the reports of the various agents he had sent to France in the preceding months. Of these the most comprehensive was that of Sexby who on his return to England from his long stay in France had made his recommendations as to a foreign policy. Though long, they were comparatively simple. They insisted, first of all, on the prevention of a general peace

¹¹⁹ Original in *Algemeen Rijksarchief*, Secr. Kas Eng. 79, at the Hague. Latin pr. in *Verbael*, pp. 407-8. Transl. in *Coll. of Treatys* (1732), iii, 83-84.

¹²⁰ Rawl. MSS. A.328, f. 145. Dugard had been at Sidney Sussex College shortly after Cromwell left; had become a schoolmaster and printer; been imprisoned in 1650 for printing Salmasius' *Defensio . . . Caroli primo*; was a friend of Milton; and is said, dubiously, to have printed an edition of the *Eikon Basilike*.

which, among other results, would "very much heighten discontented spirits at home." Secondly he advised the rejection of the Spanish proposals for an Anglo-Spanish attack on France, on the ground that it would be hazardous, "England not being settled"; that it would require 20,000 foot, 10,000 horse, a hundred ships and two millions "in bank"; that the whole French power would be thrown against England; and that Spain was not to be relied on. He did, however, approve of the Spanish proposal that England lend ships and men to secure "Rochelle, St. Martins and the Isle of Casow in the River of Garonne, for there mony." He suggested that it be done by the Protector himself with the greatest secrecy and under commission from Spain or Condé. This, he believed, would not endanger Anglo-French relations; it would weaken France and increase England's revenues; keep the Dutch in hand; divert "your enemies designs in forraigne parts . . . bring in the Irish, the major part of the enemies infantry, to serve you"; get rid of discontented spirits at home; immobilize the French fleet; and enlist that of Spain; as well as bring in revenue from that country. It would require, he thought, £165,600, but the Protector should ask Spain for £300,000, to make sure.¹²¹

Reports had arrived in November from the engineer Hane, the first relating to le Havre, the second to Rochelle, in regard to French defenses, especially on the coasts.¹²² Hane failed to find anyone in this region who wanted English aid, but solicitation for help came at that moment from the Huguenots of Languedoc, whose agent, a Dr. More of Nîmes, had arrived in London to urge English intervention in that region.¹²³ A month later Barrière suggested the enlistment of the minister of the French congregation at the Savoy, one Jean Baptiste Stouppe, to collect intelligence in the Rhône valley. Condé failed to give Stouppe the proper authorization, but by February Oliver urged the mission upon him.¹²⁴ This new agent, having made his way from Paris to Bordeaux and thence to Lyons, after visiting Switzerland and Germany, returned in July to report that the Protestants were "much at their ease"; that they distrusted Condé as eager only for his own glory; and that all his intrigues were well known to Mazarin.¹²⁵ According to Barrière,

¹²¹ Report in *Clarke Papers*, iii, 197-202 (App. A).

¹²² Gardiner, *Comm. and Prot.*, iii, 112.

¹²³ Reports in Thurloe, i, 553, 578, identified by Firth in *Journal of Joachim Hane*, introd.

¹²⁴ Gardiner, *Comm. and Prot.*, iii, 112, 115, from Barrière to Condé, Jan. 18/28, and Bordeaux to Brienne, Jan. 30/Febr. 9.

¹²⁵ Hane, *Journal*; Burnet, *History of My Own Times*, i, 120, 133 (ff. 65, 72); Vaughan, *Cromwell*, i, 12, 14, 17, 32, 40, 42; Bordeaux to Brienne, July 13/23, quoted in Gardiner, *Comm. and Prot.*, iii, 157. Mazarin questioned Ruvigny, general deputy of the reformed Catholics of France about the reports from Guienne that the reformed ministers had written complimentary letters to Cromwell which

Cromwell had earlier described Condé as not only one of the greatest captains of the time but of all time and regretted that he was not a Protestant, but it may well be that Stouppe's report modified that opinion somewhat.¹²⁶

THE WESTERN DESIGN

In any event, though Stouppe had not yet reported, considerable information and advice lay before the Protector and Council in this critical meeting in April to decide England's foreign policy, and, as it happens, we have an account of it, for one of the members, Colonel Edward Montagu, set down the conclusions which they reached.¹²⁷ Having at their command a fleet of a hundred and sixty sail and an army which had to be used or disbanded, there were three possibilities — to attack France or Spain, or to be friends with both, "supposinge wee might have had good summs of money from both soe to doe." An attack on France was "apprehended difficult and unprofitable," partly because of fear that England might be betrayed by Spain, partly because France was "not soe bitter against the Protestants" as Spain. An attempt on Spain was regarded as more promising since it was the "most profitable of any in the world," and French aid was more certain. The West Indies were regarded as the best place for such a venture, the only question being whether to "make a partiall worke of it this yeare . . . or to make a thorough worke and putt for all this summer." The experts called in — Captains Hatsell and Limery, who had lived and traded in Hispaniola¹²⁸ — inclined to the former plan and the seizure of Havana and Hispaniola; others urged a general attack and the capture of the plate fleet.

It was further urged that this might contribute to the pacification of Scotland by the transportation of eight or ten thousand men a year, thus relieving England of maintaining such great forces there; and that an attack on the West Indies would please both Parliament and the people. Against this it was argued that England would lose the Spanish trade and that her commerce in the Mediterranean through the Straits of Gibraltar would be interrupted. This was countered by the assertion that Spain could not, for her own sake and especially that of Flanders, break off all connection with England; that Portuguese trade would compensate for any loss on the Spanish side; and that peace with France would open her

were disloyal to France. Ruvigny said such reports were not true (Letter of intelligence, Apr. 5/15, 1654, in Thurloe, ii, 210). On the other hand there is little doubt that the reformed churches hoped a treaty would be concluded between France and England which would be advantageous to themselves (Letter, May 5/15, in Thurloe, ii, 262).

¹²⁶ Firth, *Journal of Joachim Hane*.

¹²⁷ In *Clarke Papers*, iii, 203–6 (App. B).

¹²⁸ Captain Henry Hatsell was a militia commissioner, while Capt. John Limery, or Limbrey, was a navy victualler.

Mediterranean harbors to English ships. To the argument that the Dutch would take advantage of the situation to gain command of the Spanish market, it was answered that "God would provide." Finally it was urged that an Anglo-French peace would keep the Franco-Spanish war alive, help the Protestant cause and "discountenance . . . our rebels in Scotland and fugitives."¹²⁹

Such, then, was what virtually amounted to a decision as to England's next step in foreign affairs. In it may readily be perceived the influence of the advice of the agents who had been busy in France for some years, the advice of those familiar with conditions in the West Indies, and, above all, the desire for the spoil of conquest, together with some consideration of Protestant interests and the security of the revolutionary government at home. Meanwhile, however, two things were essential to the success of this design. The first was the necessity of secrecy, the second was the conclusion of the Dutch negotiation by the exclusion of the House of Orange, which Cromwell demanded. In consequence all of de Witt's adroitness was summoned to persuade — or deceive — his countrymen into passing the Act, or to induce Cromwell to abandon his demand. Such a measure as the exclusion of the House of Orange was certain to rouse violent protest in the Netherlands and the right of a single province, even Holland, to enter into, much less to conclude, such a negotiation was more than doubtful under the constitution. None the less de Witt addressed himself to the task with all the skill and duplicity he could muster, meanwhile urging his envoys to use their best endeavors to persuade the Protector to give way. The ambassadors, left in a peculiarly difficult position, used every means to break down the Protector's determination but to no avail.¹³⁰

Meanwhile the public part of the drama was played as if there were no such complications behind the scenes. The Protector's Council consented to the treaty on April 21,¹³¹ and notice was sent to the States General to that effect on the same day.¹³² On April 24 the Protector and Council issued an order forbidding further hostilities,¹³³ and two days later there was held a public function to proclaim peace in due form and with appropriate ceremony. It was begun by twelve trumpeters who sounded their trumpets before Whitehall in the presence of the Protector with some of his attendants on horseback and the crowd collected to witness the spectacle. Four heralds in their regalia read the proclamation to the people, the trumpeters sounded another peal and they and the heralds proceeded to Temple Bar where they were met by the Lord

¹²⁹ *Ibid.*

¹³⁰ Geddes, *De Witt*, p. 423.

¹³¹ *Cal. S. P. Dom.* (1654), p. 112.

¹³² *Perf. Diurn.*, Apr. 17-24.

¹³³ *Ibid.*, Apr. 24-May 1.

Mayor of London and fourteen aldermen in their official robes and welcomed into the City. At Fleet Street, St. Paul's Churchyard and the Exchange, the trumpets were sounded and the proclamation was read amid the rejoicing of the populace. That night was given to celebration. The guns in the Tower fired a triple salute, the ships in the river replied; the City was ablaze with bonfires; the river was black with boats near the Dutch embassy which was keeping open house for English and Dutch alike. Not even at the coronation of James or Charles, it was said, had there been such rejoicing as at this treaty which meant so much to the country and to the City in particular.¹⁸⁴ Meanwhile there appeared in print the Protector's proclamation of the peace, and, as he took pains to add, "Union and Confederation to continue forever"—a term which in this case, as it happened, meant something like a dozen years.

By the Lord Protector,

A Proclamation of the Peace made between this Common-Wealth and that of the United Provinces of the Netherlands.

His Highness the Lord Protector of the Common-Wealth of England, Scotland, and Ireland, considering how necessary it is, not only to preserve Peace and quiet at home, but, as far as in him lies, to live in Amity and Friendship with his Neighbours, hath by the blessing of God with the Advice of his Council, made and concluded a Peace, Union and Confederation to continue forever, between this Common-Wealth of the one part, and that of the United Provinces of the low Countries of the other part, their Lands, Countries Towns, Dominions, Territories places and people by Sea, Land, fresh waters and elsewhere; by the which Peace it is agreed, that all enmity, hostility, discord, and war between the said Common-Wealths, their People and Subjects shall cease, and all injuries and wrongs whatsoever done since the 28 May one thousand six hundred fifty two, shall cease and be forgotten; except such depredations as shall be committed by either side in these Seas after twelve days, from the date of these presents, and in all other places on this side the Cape of St. Vincent, after six weeks, and from thence within the Mediterranean Sea, and to the Equinoctiall Line after ten weeks, and beyond the Equinoctiall Line, after the space of eight months, or immediately after sufficient notice of the said Peace given in those places. And that the People and Inhabitants of each party respectively, of what condition or quality soever they be, shall treat each other with love and friendship, and may freely and securely come into and pass through each others Countries, Towns, Villages, and precincts, and there stay and abide, and from thence depart again at their pleasure, without any hindrance or molestation, and likewise trade and have Commerce, and generally do use, and exercise all other things (observing the Laws and Customs of each place respectively) as freely, fully and securely, as they might have done in time of Peace. Whereof all Person whatsoever in the

¹⁸⁴ Aitzema, iii, 927; *Verbael*, p. 419. Cp. Geddes, *De Witt*, p. 421-2; Thuroe, ii, 257.

Nations of England, Scotland and Ireland, are to take notice, and conform themselves accordingly. Given at Whitehall this 26 Aprill 1654.

OLIVER P.

Printed and Published by his Highness's special Commandment.¹³⁵

Anticipating the signing of the Dutch treaty on April 19, the Protector issued a commission appointing and authorizing John Edwards and Michael Evans as commissioners, procurators and assigns, to go to Denmark and demand and take into their possession the English ships and goods mentioned in the 28th article of the treaty, and to receive 20,000 rix dollars indemnity from the Danish government.¹³⁶ Their instructions, similar to the commission, were not issued for another week; their passports were not issued until May 24, a few days after the Danish envoy, Rosenwinge, had assured Cromwell that Denmark would perform her part of the arrangement;¹³⁷ and they were not presented in Copenhagen, apparently, until June 2.¹³⁸ But in view of the generally dilatory tactics of diplomacy in those days, and the slowness of communication, the incident testifies, among other things, to the relative promptness and efficiency of the Protectoral government — especially, as in this case, where any possible source of revenue was concerned.

This was not, however, the end of the matter, for there remained the problem of the secret clause of exclusion to be arranged in Holland and the United Netherlands in general. Peace had been signed, and both de Witt and Cromwell must have realized that the applause with which it was greeted would make any attempt to break it dangerous if not disastrous. None the less Cromwell held to his resolution and de Witt, whose hands were, in a sense, strengthened by the demonstrations of rejoicing, turned to his task. On April 18/28, eight days before the proclamation of the peace in London, he had called together the States of Holland and, after swearing them to secrecy, disclosed to them Cromwell's demand and the negotiations in regard to the exclusion of the House of Orange. By this adroit move he evaded the constitutional provision by which Holland would have been guilty of a breach of the Articles of Union which prohibited any province from treating directly with a foreign power, as would have been the case had the States of Holland known of the provision and kept it secret. The members of the

¹³⁵ Drawn up on Apr. 22, this was repr. in *Verbael*, pp. 409–10; pr. also in *Perf. Diurn.*, Apr. 26; *Sew. Proc.*, Apr. 27–May 4. Copies of four different Dutch broadsides of it are in *Algemeen Rijksarchief*, Leg. Arch. 789, and Secr. Kas Engl. 80. An Italian translation is in *Atti della Soc. Ligure di St. Patria*, xvi, 158–9.

¹³⁶ Mentioned in the demand presented by Edwards and Evans in Copenhagen. Thurloe, ii, 344.

¹³⁷ Pass in *Rawl. MSS.*, A328, f. 48.

¹³⁸ Thurloe, ii, 344.

States were in a difficult, if not an impossible, position. There was opposition in Holland and still more in the other provinces to such a measure, but there was still more opposition to the renewal of war; and after some of the representatives had referred the matter to their towns and de Witt had used all his arts of persuasion and management, the Act of Exclusion was passed by the Estates of Holland on April 21 on the understanding that Beverning and Nieupoort had promised it and that failing this the treaty would not be binding. On April 24 the Act was drawn up and agreed to, and the next day it was decided to make their action public.¹³⁹

There remained the States General of the United Provinces to be convinced that Holland was within her rights in entering into such an agreement and to secure some kind of approval of its action. The Orange party went into action against the whole procedure; the story of Holland's negotiation was spread and exaggerated; and there ensued a period of violent agitation and of extreme activity on the part of de Witt to secure the advantage he had gained. The peace was proclaimed by the Dutch on April 28 but with no mention of the secret article and amid great grumbling and the displeasure of the States General.¹⁴⁰ Friesland protested against the exclusion, while "hot and provoking words passed upon H. H." the Protector. The ambassadors were severely criticized and de Witt accused of double-dealing. Four other provinces joined Friesland's protest and complained bitterly about Holland's action and there ensued a schism between the States General and the States of Holland. But playing the one against the other, taking advantage of divided counsels and vacillation among his opponents, and backed by the fear that rejection of the exclusion provision might well mean renewal of war, de Witt finally triumphed. The peace was ordered proclaimed;¹⁴¹ the Act of Exclusion was delivered to the Protector; and the longed-for peace was finally achieved at the price of the exclusion of the House of Orange.

While these intrigues went on in the Netherlands, the rejoicings in London continued. On April 27 the Protector entertained the Dutch envoys at dinner. Two of his coaches called for them at 1:30 to carry them with the ladies of embassy to Whitehall. Received by the Protector, the men were conducted to a dining-room where Cromwell sat on one side of a table, the ambassadors and members of his Council on the other, while the Protectress assisted by her daughter and Mrs. — or "Lady" — Lambert, devoted herself to the wives of Nieupoort and Jongestal and Jongestal's daughter. The guests were entertained with conversation and music during the dinner after which the party adjourned to a drawing-room and sang a metrical version of Psalm cxxxiii,

¹³⁹ Report of meetings in *ibid.*, pp. 238-9. See also Geddes, *De Witt*, pp. 413-7.

¹⁴⁰ Letter to Sir W. Vane, Apr. 28/May 8, Thurloe, ii, 252.

¹⁴¹ Intelligence, Hague, May 5/15, *ibid.*, pp. 263-4.

"Behold how good and pleasant it is for brethren to dwell together in unity." Thence they went into a gallery overlooking the river and walked and talked for half an hour, the Protector paying particular attention to Jongestal's wife and daughter.¹⁴²

On such a simple and friendly note ended the long and bloody war, and, in a sense, the first phase of Cromwell's career as Protector. He had good reason to look back with satisfaction on the four months since he became the dictator of the British Isles. Except for the rising in the more remote fastnesses of Scotland, the islands were at peace and the Glencairn-Middleton enterprise was no serious threat to his ascendancy. He had brought the Dutch war to an end; he had begun negotiations with Sweden destined to a successful conclusion; and he had thus contributed greatly to the safety of British commerce and its fishing industry. He had done even more, for he had gained recognition of the revolutionary government from potent continental states. He had released the navy for use in whatever direction he chose to send it and he had become recognized as the champion of Protestantism. The rulers of the Continent sought his friendship and feared his enmity and in more ways than one he had lived up to his motto, "*Pax quaeritur bello.*" He had sought and found peace through war; but in that very motto there resided a threat as well as an aspiration; and the plans which were already being laid for an attack on Spain revealed that he sought profits and power no less than peace for his country, even at the price of war.

¹⁴² Jongestal to William Frederick of Nassau, Apr. 28/May 8, *ibid.*, p. 257. See also *Merc. Pol.*, Apr. 27-May 4; *Sev. Proc.*, Apr. 27-May 4; *Verbael*, p. 419; and Geddes, *De Witt*, pp. 421-2.

CHAPTER VII

FOREIGN AFFAIRS AND PLOTS

The first and in some ways the most critical period of the Protectorate came to an end with the signature of the peace with the Netherlands. So far as all external evidences went, Cromwell's position as Protector was secure. Besides his excursions into diplomacy, there had gone on the enacting of ordinances which were presently to reach almost the dimensions if not the content of a code of laws in accord with the sentiments of the Protector and his party. Though they and the situation which produced them were beyond all precedent in English law or constitution, the authority of the Protector, based as it was on the headship of the army, was scarcely challenged and the ordinances of his government had all the force of laws passed by a duly constituted Parliament and approved by a legitimate ruler. But this was not all of his achievement. Under his authority and largely by his direction the judiciary had been reorganized and some of the ablest lawyers in England had accepted judicial posts. The reform of judicial procedure, which had been one of the items in the programme of the revolutionary party, had begun. Under his lead there had begun, as well, the reorganization of the church, not, indeed, of the old and now vanished Establishment but of the denominations or sects which had largely taken its place and now largely enjoyed its emoluments. Thus from whatever direction one viewed his position, whether civil or military, administrative, diplomatic or ecclesiastical, he seemed secure in his authority and even more powerful than the monarchy he had destroyed. If there was no one, perhaps not even himself, who imagined that the system which he headed could in the long run supersede that monarchy as the permanent government of the British Isles, there was no one and no party at this moment able and willing to challenge that system and his personal ascendancy.

Yet, though by April, 1654, Cromwell was the all but unchallenged master of the British Isles as the head of a government wholly controlled by the party which he led and seemed at liberty to put into execution the principles and practices for whose sake he and his party had fought and conquered, none the less, like all men in such a position, he was bound by the very situation which he had done so much to create and confronted by the issues which his very success had raised. Peace had its problems no less difficult than war. In domestic affairs two of these problems — the settlement of Ireland and the calling of a Parliament — were conspicuous. The first was imperative if the position won by the

Independents in that island was to be maintained. To the second he and his party had committed themselves irrevocably, implicitly and explicitly, and without some effort to meet the almost universal desire for a Parliament he could not expect to maintain his hold on the country, in spite of — or on account of — the army. With the signature of the Dutch treaty and the settlement of the negotiations with Sweden, therefore, he was not only prepared but in a sense compelled to consider these moves in the long hoped-for settlement of the kingdom, and to these matters, in consequence, he and his advisers prepared to address themselves.

There was, of course, a certain connection among these various issues, and they were in turn related to another circumstance connected with Cromwell's accession to Protectoral authority. The prestige which his government had acquired by signing the peace with the Netherlands had not only strengthened his position and that of his government at home and abroad in general, but in particular it had struck a great blow at the Stuart cause. Recognition by foreign powers and rigid enforcement of his authority at home had not merely deprived the Royalists of the hopes in which they had lived so long of a division among the revolutionary elements, of a refuge for their king in France, and the possibility of the restoration of his kinsfolk and greatest friends, the House of Orange, in the Netherlands. It had bred in a majority of Royalists, whether Anglican or Presbyterian, a sense of helplessness and a desire for peace at almost any price. It seemed hopeless to contend further, to risk their lives and what property remained to them in what was at best a dubious enterprise and at worst might well mean complete destruction in another civil war. To their conciliation the Protector addressed himself in every way compatible with the maintenance of his own authority, and the great bulk of them, in consequence, was prepared to make what terms it could and submit to a government it could not hope to overthrow.

On the other hand, the more violent among them were driven to desperation and their plans for the restoration of the monarchy took another and darker turn. The revolutionary movement had now come to a head in the person of the Protector, and where they had earlier dreamed of setting one revolutionary group against another, the wilder spirits among the Protector's opponents turned to the idea of removing the individual on whom the revolutionary cause depended. In consequence from the moment that he became Protector, Cromwell lived in danger — and, if contemporary accounts are true, in fear — of the assassin's bullet, knife or poison. It is easy to exaggerate the effect of this upon him and one need not accept in its entirety the Royalist legend that he never slept two nights in succession in the same bed, or all the other tales of the precautions taken to protect himself, but that the danger was real and that he was conscious of it can hardly be doubted. The vigilance of the intelligence service was redoubled; the letters between

England and the Continent intercepted by Secretary Thurloe's agents grew in numbers and arrests increased proportionately. Even while the last details of the peace with the Netherlands were being arranged, the Protector's warrant was invoked for the apprehension of two suspicious characters:

*To Edward Dendie, Esq., Serjeant-at Arms, or his Deputy or Deputies
OLIVER P.*

These are to require and authorize you to inquire and make search in any house or houses whatsoever for John Walters and Thomas Bennett, and them to apprehend and forthwith to bring in safe custody before the Council at Whitehall, together with all such writings and papers as you shall find there; and you are likewise to seize all such their horses as you shall find; and in order thereunto you are to break open any locks, bolts, trunks, chests, or other places whatsoever. And for your so doing this shall be your warrant.

Given at Whitehall this 24th of Apr., 1654.¹

As time went on, warrants like this became a part of the routine business of the administration. This particular document took its place in the copy-book with two passports, one for three young men — John and Cromwell Stanhope of Derbyshire and John Scott — to go with their servants to France, and one for an Elizabeth Merreday to go to Flanders.² Two days later, on April 26, he signed another pass for a more important person and as part of a more important policy. The Earl of Leven, who had been taken prisoner in Scotland with other members of the Committee of Estates soon after the campaign of Worcester, had been imprisoned in the Tower. Thereafter he had been put in charge of his son-in-law, Sir Ralph Delavall, in Northumberland, until he was released, freed from his fine and had his estates restored to him. He was now permitted to go to Scotland and thence beyond seas, and he was at his seat in Fifeshire in late May.³ Whatever he did, his movements were of more than local interest. It was reported from Rotterdam that in June he marched north with Monk and Argyll, but advices from Stockholm declared that rumor false,⁴ and that in July he passed through the Sound on his way to Sweden. On July 5 Leven arrived in Stockholm, giving out that his business was to thank the Queen for interceding in his behalf with Cromwell and that he had instead thanked the King.⁵

To all Our Admirals, etc.

OLIVER P.

Whereas Alexander Earl of Leven, who is about to repair to Scotland about his occasions there; and from thence to transport himself beyond the seas, hath

¹ Rawl. MSS., A328, f. 29.

² Ibid., ff. 30-32.

³ Sir John Lamont, *Diary* (Edinb., 1830), p. 72.

⁴ Macray, ii, 377; *Nicholas Papers*, ii, 77.

⁵ Geo. Fleetwood to Whitelocke, Stockholm, July 12/22, Thurloe, ii, 484.

petitioned Us for a pass in that behalf: These are therefore to will and require you to permit and suffer the said Earl of Leven with ten servants and necessities to pass to Scotland aforesaid; and from thence to such place or places beyond the seas as his occasions shall require, as also to return without any your lets, hindrances, or molestations.

Given at Whitehall this 26th of April 1654.⁶

Though the question of foreign affairs, the problems of Ireland, the Royalists and a Parliament pressed hard on the Protector and his Council in these days, they had not neglected other matters. The formalities of the ratification of peace with the Dutch had, indeed, left little time for new legislation, and the Council met only four times after the middle of April. But on the 14th they turned their attention to recommendations for control of the forests which, with other former royal property, had been the subject of a Parliamentary ordinance in the preceding November. That question had become acute, partly on account of the necessity for raising money — which had been the motive of the preceding ordinance — and partly because of the activities of unscrupulous men who, as in so many other cases of royal property, had taken advantage of the unsettled times to cut timber for their own use. On the 14th of April, therefore, the Council listened to recommendations for improving the forests and directed a committee to draw up an ordinance providing, among other things, for the appointment of several sets of commissioners for supervision of the forests. The ordinance was not passed until four months later but the order for drafting it seems to have brought immediate results, chiefly applications for the post of commissioner,⁷ and orders to the Attorney-General to draw up grants for such posts, one to Cromwell's brother-in-law Desborough, one to a Major Wade who had been operating a "casting-furnace" in the Forest of Dean for the army and acting as an agent for sending supplies to Ireland;⁸ and one for the Protector's son Richard:

To Edmund Prideaux, Esq., Our Attorney General

OLIVER P.

Whereas the office of Constable of Our Castle of St. Brianell⁹ in Our Forest of Deane in the County of Gloucester is become void, These are to require and authorize you to prepare a grant of it for Our signature of the said office of Constable of Our Castle of Brianell in Our said Forest of Deane in the said County of Gloucester, unto John Desbrowe, Esq., To hold and enjoy the same by himself or his sufficient deputy or deputies during Our pleasure with all the wages, regards, profits, jurisdictions, privileges, and preheminences

⁶ Rawl. MSS., A328, f. 32.

⁷ One from W. Ripley, Apr. 19, is in Thurloe, ii, 242.

⁸ Cal. S. P. Dom. (1654), pp. 41, 451, 462, 469.

⁹ The Ms. reads "Brianell," but the *Victoria County History* has it "Briavell."

whatsoever to the said office belonging in as ample manner and form as Philipp Earl of Pembroke and Mountgomerie, or any other, or others having, or exercising heretofore the said office had received, or enjoyed in, and for the exercise of the said office. And you are likewise to give direction that writs be issued out to the sheriff of Gloucester for choosing verderers in the said Forest of Deane. And for your doing the premisses this shall be your sufficient warrant.

Given at Whitehall this 24th of April 1654.¹⁰

To Edmund Prideaux, Esq., Our Attorney General

OLIVER P.

Whereas we have appointed John Wade, Esq. to the office and offices of Keeper of the Gawle, called the Gaole above the Wood within Our Forest of Deane in the County of Gloucester, and also Keeper of the Gaole beneath the Wood,¹¹ and also to the office of one of the riding Foresters, and Ale Cunner within the said forest. These are to require and authorize you to prepare a grant of it for our signature of the said several offices to the said John Wade, to execute and hold the same as well by himself as his sufficient deputy or deputies during Our pleasure with all fees, wages, profits, authorities and liberties whatsoever of right due, and accustomed to the said offices, or any of them, in as ample manner and forme as Thomas Catchmeg, Esq. or any other or others heretofore having, or exercising the said offices ever had, or received for the exercise of the offices aforesaid, or any of them. And for your so doing this shall be your warrant.

Given at Whitehall this 24th of April 1654.¹²

To Our Trusty and Well beloved Edmond Prideaux, Esq. Our Attorney General

OLIVER P.

It is our pleasure that you forthwith prepare a Bill for Our signature containing a grant to Richard Cromwell, Esq. of the office of Keeper, and Warden of the New Forest, and Hundred of Redbeirge alias Rudburg with the appurtenances in our County of Southampton, And of the yearly rent of forty shillings heretofore payable to the Crowne by the Abbot of Reading for a Tenement within that Forest, and of all Liberties, Privileges, Jurisdictions and advantages to the said premisses belonging (the Deer excepted); As also of all the Herbage and Paunage of the New Forest aforesaid, and of the turfs, fern and heath there; And of all rents of free tenants, and suinters of the Forest

¹⁰ Rawl. MSS., A328, f. 31.

¹¹ These were the two ancient divisions of the mining district of the Forest. The gaoler, or gaveller, received the King's share from each miner. For several years anarchy had existed in the Forest of Dean because of the violent objection to the sale of the Forest by the King to Sir John Winter and the latter's enclosures. The conditions in the Forest were now restored to what they had been for centuries and order again prevailed. In June 1657 Winter's grant was formally cancelled by Act of Parliament and the inhabitants' ancient privileges were confirmed.

¹² Ibid., ff. 31-32.

aforesaid; And of the rents of wheat, barley, oates, salt, honey and other rents of the said Forest with their appurtenances; And of all and singular lands, meadows, pastures, feedings, commons, and hereditaments to the last mentioned premisses belonging, To hold unto him for his life in as large, ample, and beneficial manner, and form to all intents and purposes as William Earl of Pembroke, or Thomas Earl of Southampton, or any other person heretofore held or enjoyed the premisses, reserving to Us and our successors all great trees, woods, underwoods, mines and quarries of the premisses last mentioned, and competent feeding for the deer in the said Forest, under the rent of three score shillings for the said herbage and paunage, the rent of twenty shillings for the said turfs, fern, and heath; And for the said rents of all free tenants, and free suiters of the Forest aforesaid; And for the said rents of wheat, barley, oates, salt, honey, and other rents the yearly sum of forty shillings per annum. To be paid to Us and our successors at Michaelmas and Lady day by even portions, or within forty days after. And for so doing this shall be your sufficient warrant.

Given at Whitehall the seven and twentieth day of April 1654.¹³

With these came certain administrative changes. On that same day the Attorney-General was directed to prepare a bill for the advancement of Fleetwood from the rank of Commander-in-Chief in Ireland to the one formerly held by Ireton, that of Lord Deputy.

*To Our Trusty and Well beloved Edmond Prideaux, Esq., Our Attorney General
OLIVER P.*

Our will and pleasure is that you forthwith prepare a Bill for our signature for constituting our trusty and well beloved Charles Fleetwood, Esq., now Lieutenant General and Commander in Chief of the Forces in Ireland, Our Deputy of the Dominion of Ireland, To have and to hold the same for the term of three years with the powers, authorities, privileges, jurisdictions, and advantages belonging to that office, and which were enjoyed by the former deputies of the said Dominion. And for so doing this shall be your sufficient warrant.

Given at Whitehall the 27th day of April 1654.¹⁴

On that day, also, having been appointed to the Council of State on April 26, Nathaniel Fiennes took the oath of office and once more joined the Protector's followers.¹⁵ The next day Cromwell issued a warrant to pay Colonel Sexby for his mission in France and for work done since as Thurloe's assistant:

*To William Jessop and Mr. Gualter Frost
OLIVER P.*

By his Highness the Lord Protector.

These are to will and require you upon sight hereof to audit the accompts

¹³ *Ibid.*, ff. 33-4.

¹⁴ *Ibid.*, f. 32.

¹⁵ *Cal. S. P. Dom.* (1654), pp. 119, 123.

of Colonel Edward Sexby concerning his disbursements in France in the public service, and also his disbursements in England in searching and seizing packets for which the late Council engaged to make satisfaction as by their order bearing date 18th November 1652 may and doth appear, to the end the same being presented (by you) to the Council may be allowed and satisfied according to equity and justice.

Given under our hand this 28th day of April 1654.¹⁶

Yet with all the attention to domestic matters which the situation demanded, the chief concern of the Protector and his Council at this moment was still with foreign affairs. The uncompromising insistence of the Nominated Parliament upon either union or war with the United Provinces was undoubtedly one of Cromwell's chief grievances against that body. He desired peace with England's only serious rival for maritime supremacy, and as the situation developed he perceived in this peace a means of bargaining with other nations. In this he was encouraged by the attitude of Spain and France, each of which as the treaty neared conclusion had bid alternately with increasing determination for England's help against the other. On his part the Protector had listened to their successive proposals without committing himself, in a policy of masterly inactivity. As Mazarin had endeavored to play off the Dutch against the English, Oliver forced on the Cardinal the unwelcome conclusion that he was no less adept in playing off France against Spain, meanwhile keeping both powers on the anxious-seat. At the conclusion of the Dutch peace, Bordeaux came to the opinion that while Cromwell was desirous of avoiding war with either France or Spain, he was none the less willing to undertake hostilities with either. The Council, as usual, appeared to be divided in its sympathies. It was reported that Lambert and most of the Council were opposed to France;¹⁷ that Pickering and Strickland wanted an alliance with France; and the rest, headed by Thurloe, while desiring peace with France to end the long and undeclared hostilities between French and English ships, were still more desirous of an alliance with Protestant states.¹⁸ On April 13 de Baas reported that Cromwell had talked of offering surreptitious aid to Condé while avoiding an open breach with France;¹⁹ and it was evident that the Protector had been successful in concealing his inten-

¹⁶ Original in *S. P. Dom.* lxxi, 49; cal. in *Cal. S. P. Dom.* (1654), p. 161. Sexby claimed £1411/13/4. He had been secretly commissioned by Cromwell and the Council in 1651 and 1652, and seems to have returned to England in August 1653. See *supra*, ii, 525.

¹⁷ Bordeaux to Brienne, Apr. 10/20; de Baas to Mazarin, Apr. 11/21, in Guizot, *Cromwell*, ii, 397-9; Leighton to ?, March, in Vatican Archives, *Nunziatura di Fiandra*.

¹⁸ Leighton to ?, *loc. cit.*

¹⁹ De Baas to Mazarin, Apr. 13/23, quoted in Gardiner, *Comm. and Prot.*, iii, 124.

tions — if, indeed, he had any definite designs at this moment beyond that purpose.

On April 15, two days after de Baas' report, Henry Cromwell gave a dinner to some army officers, to which he invited a Frenchman, de Patt, who informed Mazarin later that the Protector had arranged for his presence with the idea that the conversation, certain to be hostile to France, would create the impression that pressure was being put on Oliver to break with France. In that, at least, the Frenchman was not disappointed for the officers talked of the impossibility of peace with a country headed by a Cardinal.²⁰ But the incident had wider results than even Cromwell could have foreseen, for, as Bordeaux later explained, ingenuously or otherwise, it was the irritation of de Baas at such talk which later drove that special envoy of Mazarin to listen to, if not to take part in, a plot against the Protector's life.²¹

While these various threads of policy were being woven, the Council, debating on April 20 as to what use the fleet could be put to,²² had come to the conclusion that there was overwhelming reason to believe that an attempt against Spain and her colonies had possibilities of immense profit; that French aid against Spain would be most desirable; and that the French were more to be relied on than the Spaniards.²³ The French envoys had no means of knowing that such a conclusion had been reached, and they were so much in ignorance of the English intentions that the very day before, in an audience with the Protector, de Baas had expressed his indignation at the English attitude toward his country. He told Oliver of Condé's boasts of promise of assistance for a descent on Guienne; of the Protector's responsibility for the appointment of commissioners to treat simultaneously with France and Spain; that a proposal for a triple alliance between England, Spain and Sweden had been made by Whitelocke; and that the Protector had listened favorably to a Spanish offer to help England take Calais. De Baas, reporting the audience to Mazarin, went on to say that he then suggested that Cromwell straighten his devious and clouded diplomatic path, and that the Protector was so confused he had difficulty in finding words to reply.²⁴ That was, perhaps, not wholly surprising for Barrière wrote to Condé at about this time that Cromwell had informed Cardenas he was ready to negotiate if the proposed Spanish subsidy was increased, and a week later Barrière reported that he had received similar assurance from

²⁰ De Patt to Mazarin, Apr. 17/27, Guizot, *Cromwell*, ii, 399-400.

²¹ Bordeaux to Brienne, June 15/25, *ibid.*, ii, 362-7.

²² Disposal in May; in the Channel, 40; in the Straits, 16; in Scotland, 8; in Ireland, 8; in the West Indies, 30; in Newfoundland, 8; laid up, 50. Montague's notes in *Clarke Papers*, iii, 206.

²³ See *supra*, p. 260.

²⁴ Gardiner, *Comm. and Prot.*, iii, 126.

Cromwell himself.²⁵ On the other hand, Pickering, acting as interpreter for de Baas' audience, explained that the Protector had to listen to all proposals and could not prevent such stories from circulating, and terminated this awkward conversation by recalling that the Protector had another engagement.²⁶ It was, perhaps, of this interview Hyde heard when he wrote that Cromwell had expostulated roughly with de Baas at the treatment of the Huguenots.²⁷

If this were not confusing enough, on the next day Colonel Dolman assured de Baas that Cromwell desired peace with France and a member of Cromwell's family assured Bordeaux that the Protector wished to be at peace with all the world.²⁸ This, save as an ideal, seems from all the evidence we have, and again from the result, not to have been precisely the case, either on the part of the Protectoral government or its subjects. At this moment an encounter between English frigates and French ships from St. Malo resulted in most of the latter being captured or sunk, in retaliation for which the French took two English merchantmen into Toulon. On hearing this news Mazarin was reported as having said, "I see Mr. Cromwell is not for us," and he suspected, not without reason — for Stouppé was still in France and Hane had recently reported on Rochelle — that the Protector had sent a secret agent to work with the Huguenots against the French monarchy.²⁹ To add to the concern of the Cardinal, Bordeaux reported that when Cromwell brought up the St. Malo incident in the Council and the fact that French privateers were still preying on English commerce, one of the members asked significantly 'if the wind were fair for Brest.'³⁰ It is apparent from all these reports that, whatever Cromwell's inexperience in foreign affairs, he and his colleagues had not neglected their opportunities of the preceding years in the politics of the British Isles to learn how to divide and confuse their opponents and that the rules of the diplomatic game which they were now playing differed but little from those to which they had long been accustomed in affairs nearer home.

As a result of their deliberations, by May 1, following the Council's decision that hostilities with Spain seemed likely to be more profitable than war with France, the Protector sent for de Baas to suggest terms for a treaty of amity. Assuring the French envoy that no understanding with Spain had been reached, and pledging him to secrecy, Oliver set forth his proposals. He demanded that France guarantee to refuse as-

²⁵ *Ibid.*, iii, 124, from Barrière to Condé, Apr. 7/17, 14/24.

²⁶ *Ibid.*, iii, 126–7, from de Baas to Mazarin, Apr. 20/30.

²⁷ Hyde to Clement, May 8, Macray, ii, 345–6.

²⁸ Gardiner, *Comm. and Prot.*, iii, 128, from de Baas to Mazarin, Apr. 20/30.

²⁹ Intelligence, Apr. 22/May 2, in Thurloe, ii, 246.

³⁰ Gardiner, *Comm. and Prot.*, iii, 128, from Bordeaux to Brienne, Apr. 24/

sistance to the Stuart family, except Henrietta Maria,³¹ and to confirm the liberties formerly enjoyed by the Huguenots; and finally offered to open negotiations for an alliance against Spain with one of its specific objects a joint attack on Dunkirk. He further expressed the hope that some understanding might be reached with Condé and suggested that claims for losses on both sides in the privateering war be referred to a commission with a sum of money — set the next day at £200,000 — to be deposited as a fund from which losses should be paid. This last suggestion indicates that the Protector considered that the English claims would prove greater than those of the French and that the English would gain by this proposal.

De Baas, whatever his talents as a soldier and an intriguer, had none of the qualities of a diplomat who might have used such an opening as the first step to an understanding between the two countries. Asserting that the French Protestants were well content with their existing status, he flatly refused to make any arrangement with Condé a condition of a treaty. As to the suggestion in regard to the merchants' losses, he declined to comment without consultation with Bordeaux. When the Protector asked him to state the French terms, he replied only that his country desired an alliance against Spain. To this Cromwell answered that war with Spain would inevitably follow a treaty between France and England and that if de Baas really wished such a treaty the preliminaries could be arranged in four days before any one knew that such a project was in train.³² As a result, the bad impression which de Baas made on the Protector in their interview in April was now confirmed, and possibly inspired also by report of a proclamation issued in France in the name of Charles Stuart which offered a reward for Cromwell's assassination,³³ the Protector laid aside negotiation with Mazarin's representative for other matters.

Whether Cromwell was moved to anger by the language which

³¹ The States General wrote to Cromwell on May 1/11, asking that the pension of the Queen of Bohemia be paid (Thurloe, ii, 277). A month later it was understood at the Hague that, news having come that Prince Maurice, instead of having drowned, was a slave at Algiers, the Queen of Bohemia had spoken to the French Ambassador because the Dutch dared not appeal to the Sultan for fear of offending Cromwell. *Ibid.*, p. 362.

³² Gardiner, *Comm. and Prot.*, iii, 129–31; de Baas to Mazarin, May 1/11, 4/14 and Bordeaux to Brienne, May 4/14, in *R. O. Transcripts*.

³³ In Thurloe, ii, 248–9. Gardiner (*Comm. and Prot.*, iii, 145) denies that it came from Charles and suggests Sir Edward Herbert as the probable author. It is possible that it might be traced to Lilburne, who might have managed to compose and send it from his Jersey prison, since the only men exempt from pardon — save Bradshaw whose omission after his presidency over the High Court of Justice would have been suspicious — were Lenthall, the Speaker of the House which had condemned Lilburne, and Haselrig, Lilburne's chief enemy, whose case against him was largely responsible for his present plight.

de Baas seems to have used, by pressure from Cardenas who had just received a courier from Madrid, or by prearrangement with the Council of State, on de Baas' departure he apparently sent Thurloe and two members of the Council to make an offer to Cardenas. They were authorized to enquire how much money Spain would be willing to furnish in return for thirty men-of-war, 12,000 foot, and 7,000 horse with dragoons and artillery. The cost of a war, they estimated, would be about £1,200,000.³⁴ Cardenas, fully instructed, was authorized to offer somewhat more than the fifty thousand crowns a month suggested by the Archduke Leopold. This could be paid when the plate fleet arrived, probably in June, and on May 4 Cardenas proposed a subsidy of two hundred thousand pounds.³⁵ With this great discrepancy between the figures of the negotiators, the Spanish offer was regarded as so unsatisfactory by the Protector that on the next day, May 5, he sent three members of the Council to Bordeaux offering to lower the amount of deposit for satisfaction of the English merchants which he had proposed to de Baas.

It was evident from these negotiations that the Protector was still willing to fight, the only question being with whom and for what price. Nor were these the only negotiations with which he was engaged at that moment. While they were being carried on, there arrived from Portugal an extraordinary ambassador, the Conde de Canteneiro, who on April 22 sent a request for an audience to deliver a letter to the Protector. His time was short as his ship was to wait for him only until the 24th and he had been instructed to pay his respects to Lady Cromwell after presenting his letter to Oliver.³⁶ Fortunately his mission was equally brief. The resident ambassador had not been idle; the treaty with Portugal was ready and the special envoy was able to take back with him a copy of the changes in the document which had been made since Portugal's recognition of the Protectorate. Those changes were slight. Only one article was wholly altered, and the only other modification which was of importance was the exemption from religious toleration of Englishmen "who gave scandal."³⁷

Far more important was the proclamation by the Council and Dutch ambassadors, at Whitehall on May 1, ordering the cessation of all hostilities between England and the United Provinces, and the issue of

³⁴ Gardiner, *Comm. and Prot.*, iii, 129, from Barrière to Condé, Apr. 28/May 8, *Chantilly MSS.*

³⁵ The Spanish Council proposed to send two or three hundred thousand crowns in June (£60,000-£90,000), deciding that they would pay even 100,000 crowns or £30,000 a month. Consulta of the Council, Apr. 2/12, in Guizot, *Cromwell*, ii, 385-8. See also Gardiner, *Comm. and Prot.*, iii, 131-2, from Barrière to Condé, May 5/15.

³⁶ Thurloe, ii, 247 (paper written at Berkshire House by Canteneiro Apr. 22).

³⁷ Changes in *ibid.*, p. 248.

instructions to naval commanders to cease all warlike operations, a draft of one of which survives:

By the Lord Protector. A Proclamation Of His Highness concerning a Cessation of all Acts of Hostility between the Common-wealth of *England*, and that of the United Provinces, and their respective people, and the restitution of all things taken and seized upon by either party after the fourth of this instant *May*.

OLIVER Lord Protector of the Common-wealth of *England*, *Scotland*, and *Ireland*, and the Dominions thereto belonging. Whereas the Commissioners appointed by Us to treat with the Ambassadors Extraordinary of the United Provinces; and the said Ambassadors, by Way of Explanation of the third of those Articles of Peace, lately concluded between this Common-wealth, and that of the United *Netherlands*, and for removing all questions and differences which may arise thencefrom, have agreed and concluded the following Article, *viz.*: That whereas in the third of those Articles of Peace, Union and Confederation made, established, and promulgated between the Lord PROTECTOR of the Common-wealth of *England*, *Scotland*, and *Ireland*, and the Lords the States General of the United Provinces, It is agreed, That all Injuries, Charges and Damages, which either party hath sustained by the other since the 18/28 of *May* in the year, one thousand six hundred fifty two, shal be taken away and forgotten, in such manner, as that hereafter neither party shall pretend any matter against the other, for, or upon occasion of any the aforesaid Injuries, Charges and Dammages, but that there shall bee a perfect abolition of all and every of them until this present day. And all Actions for the same shall bee held and reputed void and null, excepting such depredations as shall bee committed by either side in these Seas after the space of twelve daies, and in all other places on this side the Cape of St. *Vincent*, after six Weeks, and from thence within the *Mediterranean Sea*, and to the *Equinoctial Line* after ten weeks, and beyond the *Equinoctial Line*, after the space of eight Moneths, or immediately after sufficient notice of the said Peace given in those places.

And whereas certain questions may possibly arise about the fore rehearsed words which may minister occasion of debates and disputes, The said Lord Protector, and the said States General, to the end all manner of controversie and difference may bee removed, which might arise by reason of any thing in the aforesaid Article contained, Have unanimously accorded & agreed, and do by these presents publish and declare to all and singular their People and Subjects respectively, that immediately after Publication of the Treaty of Peace, which is already don, all acts of Hostility shall immediately ceas in all places expressed in the said Article, and in all others wheresoever, And that all depredations, dammages and injuries which shall bee don or committed by one party against the other after the fourth day of this instant *May* in all places whatever, mentioned in the foresaid Article, or elsewhere, as well on this side the Line as beyond, shall bee accounted for. And all things taken or seized after the abovesaid fourth of *May*, shall bee restored without any form of Process, as also dammages growing by occasion thereof. And to the end this Agreement and Article may bee the better known, both parties shall Publish the same within their respective Territories and Dominions, and straitly

Charge and command as well their Ships of War, as others, whether in Port, or at Sea, to observe the same.

In witness whereof as well the Lords Commissioners of His Highness, as the Ambassadors Extraordinary of the States General, have signed these presents with their own hands. Don at Westminster the 28 of April, Old style, in the year, 1654.

H. Laurence Pres.
Gil. Pickering.
E. Mountagu.
Wal. Strickland.

H. Beverningck.
Wil. Nieupoort.
Alar. P. Jongestall.

Wherefore we having considered what is agreed as aforesaid, have confirmed and ratified, as wee do confirm and ratifie the same by these presents, which wee have caused to be published, that all persons concerned therein may take notice thereof. And wee do hereby straitly charge and require all the Ships of War, and others, either belonging to the State or to any particular persons, set forth upon private Commissions, or otherwise, to observe the said Agreement. And to the end none may pretend ignorance herein, The Commissioners of the Admiralty are hereby required to give effectual notice thereof to all the Ships of War of this State, either at Sea, or in Port, within these Dominions or elsewhere. And the Judges of the High Court of Admiralty are also by virtue of these presents, forthwith to call in upon their several Securities given in that Court, all such Ships as have been set forth upon private Commissions against the United Provinces, or the People thereof.

Given at Whitehall this first of May, in the year 1654.³⁸

Additional instructions unto the captains of ships of war, in pursuance of his Highness' proclamation of peace between England and Holland

Whereas by our instructions given unto you in the month of ***** last, you were authorized and required to take under your command the ships ***** and to direct your course, either to the Massachusetts bay in New England, or to Pequott harbour, Newhaven, or other good port within any of those united colonies, and by such ways and means as you are directed by those instructions, endeavour the surprising or taking by open force the Manhattoes and other places there, in the possession of the Dutch: and whereas since your departure hence there is a peace made and concluded between this Commonwealth and the United Provinces of the Netherlands: we have thought fit to give you speedy notice thereof, and to will and require you, as we do hereby, to desist from that design and undertaking aforesaid, notwithstanding any thing contained in your former instructions, received from us or the commissioners of the admiralty. And for your future deportment, you are to observe such other instructions, as you have received, or shall herewith or hereafter receive, from the commissioners of the admiralty and navy.³⁹

May 1, 1654.

³⁸ *Coll. of Proclamations* (1654), 185 [285]-288.

³⁹ Pr. in Thurloe, ii, 259, from a draft in Thurloe's handwriting. A copy of these instructions was sent to Sedgwick and Leverett, in New England, by the Admiralty Commissioners on May 4. They received it on July 30, according to Leverett's letter to Cromwell, Sept. 5. *Ibid.*, p. 583.

It was reported that the Protector was too busy to attend a May Day celebration on the first of that month,⁴⁰ which seems to indicate that some of the more rigid regulations of the Puritan régime were being relaxed. His excuse was doubtless sound enough, for besides the interview with de Baas he had before him a petition from the East India Company in regard to the course to be followed in the settlement of the merchants' claims,⁴¹ together with a variety of other business, among which was the signing of a pass for the poet Cowley to come to England. There that devout Royalist, whatever his other business, may well have devoted some of his time to matters connected with his royal master's affairs, as he apparently did later, though either his stay was brief or he did not come until later as a pass for his return to England was again signed by the Protector in August.⁴² Two days later Cromwell issued a warrant to the Lieutenant of the Tower for the release of George Thompson who had been committed for treason in the preceding August.⁴³

To Colonel Barkstead, Lieutenant of the Tower of London

OLIVER P.

These are to will and require you forthwith to discharge and set at liberty the body of George Thompson now a prisoner under your charge in the Tower of London. Of which you are not to fail, and for which this shall be your warrant.

Given at Whitehall this third day of May, 1654.⁴⁴

This document was an echo of the plot of the previous year, for which one Dothwaite — who had been pardoned on March 9 — had been convicted at the same time as Thompson. Whether this reveals a more lenient treatment of the Royalists in general, with which Cromwell was charged by his Independent opponents, whether Thompson was an agent of the government as a payment to him in December indicates,⁴⁵ whether the danger of a plot seemed to have vanished, or whether Thompson and Dothwaite were regarded as no longer of any consequence, there are various pieces of evidence to the effect that the measures against the Royalists were being in some degree relaxed. On May 3 Cromwell also signed a passport for William Dutton and John Plumer to go to France and return,⁴⁶ which was cited by the former three months later in a petition to the Protector for release from restraint in the Mews where he had been confined for eight weeks.⁴⁷ To these,

⁴⁰ *Sev. Proc.*, Apr. 27—May 4.

⁴¹ Delivered to Lislebone Long, Master of Requests, on Apr. 27. Foster, *Court Minutes*, iv, 309, from Factory Records, Java.

⁴² *Rawl. MSS.*, A328, f. 35; and *ibid.*, f. 122.

⁴³ *Sev. Proc.*, Aug. 21.

⁴⁴ *Rawl. MSS.*, A328, f. 35.

⁴⁵ *Ibid.*, f. 157.

⁴⁶ *Ibid.*, f. 35.

⁴⁷ *Cal. S. P. Dom.* (1654), p. 286.

finally, may be added a letter which Cromwell wrote on May 4 to his son's father-in-law who for nearly two months had been involved in business at home which appeared — to him at least — more important than meetings of the Council of State. That business, it would seem, had to do, in part, with a plan for the purchase of some lands in Essex for Richard, with which the Protector, careful of his reputation, 'dared not to meddle':

*For my loving Brother Richard Mayor, Esquire, at Hursley, in Hampshire:
These*

DEAR BROTHER,

I received your loving letter; for which I thank you, and surely were it fit to proceed in that business, you should not in the least have been put upon anything but the trouble; for indeed the land in Essex, with some money in my hand and some other remnants should have gone towards it.

But indeed I am so unwilling to be a seeker after the world, having had so much favour from the Lord in giving me so much without seeking; and so unwilling that men should think me so, which they will though you only appear in it (for they will, by one means or other, know it), — that indeed I dare not meddle nor proceed therein. Thus I have told you my plain thoughts.

My hearty love I present to you and my sister, my blessing and love to dear Doll and the little one, with love to all.

I rest,

Your loving brother,

OLIVER P.⁴⁸

May the 4th 1654.

On the same day that the Protector wrote to Mayor he approved of twenty-six orders and two ordinances of more than usual importance.⁴⁹ The first added wool to the list of imports exempt from excise duty and made up for the loss of revenue by lowering overhead and throwing all excise receipts into one channel. It provided the pension fund so long clamored for, and answered the demands of another group who demanded repayment of excise upon exportation of imported goods. The other was for "further doubling" upon and finishing the sale of deans' and chapters' lands, manors and rectories, glebe lands and like ecclesiastical properties. This was an attempt to clear up the vexed problem of church property which had troubled the revolutionary government for many years, while at the same time providing it and its adherents with

⁴⁸ Pr. in Lomas-Carlyle, CXCII, from the original which was one of the "Pusey Letters" in the Morrison Collection. Listed, item 414, with a facsimile, facing p. 168, in Maggs' Catalogue, no. 527 (1929). Pr. also in Harris, *Oliver Cromwell*, p. 533; and Noble, *House of Cromwell*, i, 330.

⁴⁹ Firth and Rait, ii, 889-97; *Cal. S. P. Dom.* (1654), p. 150. See also *Coll. of Proclamations* (1654), pp. 315-30.

much desired funds, estates and livings out of the spoil of the Establishment. These last had been absorbed in many cases by the Independent ministry and in no small measure the Protector had been granting them out to men of his party who had received the approval of the new board of "Triers" and his own. Of this the presentation which he now signed may serve as an example of many such documents:

Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, with the Dominions thereunto belonging:

To the Commissioners authorized by a late Ordinance for approbation of public preachers, or any five of them, greeting:

We present Thomas Bosworth, preacher of God's word, to the vicaridge of Kneesall in the County of Nottingham, void by cession of the last incumbent there, and to Our presentation belonging. To the end he may be admitted thereunto with all its rights, members, and appurtenances whatsoever, according to the tenor of the aforesaid ordinance.

Given at Whitehall this fourth of May, 1654.⁵⁰

Two days later he signed two other documents, one a pass to Flanders for John Blunt, a Royalist under bond;⁵¹ the other, of somewhat wider interest, to Thomas Bushell, the famous miner, sometime farmer of mines and master of the mint to Charles I, who had held Lundy Island for the King and since gone into hiding. He had now made his peace with the revolutionary government and was enlisted by them in their endeavor to increase their resources and those of the kingdom:

To Our Trusty and Well beloved Edmund Prideaux, Esq. Our Attorney General

OLIVER P.

Our will and pleasure is that you prepare a Bill fit for Our signature and to pass the Great Seal, for the granting unto Thomas Bushell, Esq. and his co-adventurers, for the term of forty years, full power and authority for the carrying on of his mineral discoveries already made, and approved, and to dig, delve, mine and prosecute his additts, and to make any works for discovery of all mines royal in any territories or place of this Commonwealth with such powers, privileges, and immunities as may conduce to the gaining and effecting thereof at his own and adventurers proper charge. The benefit and profit of such mines already discovered, or hereafter to be discovered and wrought at the charge of the said Thomas Bushell and his coadventurers to be to their proper use, and behalf, answering to us a fifth tun of such ore as he and they shall dig therein, or the full value thereof into Our Treasury. And that all others be prohibited to intermeddle in such discoveries or hinder the actings, and proceedings of the said Thomas Bushell, and his coadventurers, or his or their

⁵⁰ Rawl. MSS., A328, f. 36.

⁵¹ Cal. S. P. Dom. (1654), p. 2. Pass in Rawl. MSS., A328, f. 37.

servants, agents, or undertakers therein, with provision that reasonable satisfaction be given by the said Thomas Bushell, and his coadventurers for any damages which shall be done in cutting, digging, delving, mining or carrying on of his or their additts in the proper and private soil or lands of any person where they shall so dig (other than the waste mountains and places of or belonging to the Commonwealth) wherein if the owners cannot be agreed with, then the two next justices of the Peace (not interested) be empowered to set down the demnification by such digging, delving, or mining to be paid to such persons without suit, or trouble. But in case the said Thomas Bushell or his coadventurers shall discover by way of additt, or otherwise any mine that shall not be found a mine royal to hold silver worth refining, but properly belong to the subject, That then the said Thomas Bushell and his coadventurers shall pay a tenth to the owner, but in that case shall pay no fifth to Us. In which grant is to be contained a proviso that this shall not be in prejudice of any former grants of mines, and that any other person may break open and dig in any mine or mines whatsoever which they shall hereafter first discover, and have not been opened, or before discovered by the said Thomas Bushell or his coadventurers and for so doing this shall be your warrant.

Given at Whitehall this 6th of May 1654.⁵²

Although the cessation of hostilities with the Dutch had relieved the government of some of its embarrassments, the need for money was not lessened, for at this moment the situation in Scotland was taken in hand. On April 22 General Monk arrived at the headquarters of the English army in Scotland at Dalkeith near Edinburgh. He reported his arrival at once and added that he was faced not merely by a Highland insurrection but with a general rising which extended through the Lowlands to the English border. His first request was for authority to secure the fathers of all men engaged in the rebellion, and the Council promptly issued additional instructions to that effect.⁵³ Taking a leaf from Cromwell's own book, Monk did not, like Lilburne, complain of the lack of money, he demanded — and received — it.⁵⁴ Again unlike Lilburne, he at once took the offensive. On May 4 he entered Edinburgh with much ceremony and under his protection Judge Advocate Whalley proclaimed at the Cross, which was decorated with tapestries for the occasion, the establishment of the Protectorate and the union of the two kingdoms. The four ordinances concerning the Union which had been framed by the Council of State were published with every show of dignity and force at the disposal of the new commander-in-chief of the English army, who, with his officers, was entertained at dinner by the

⁵² *Ibid.*, ff. 37-39. The grant was not drawn up and signed by Cromwell until Feb. 16, 1654-5, according to a Declaration of Bushell, July, 1656, in *Pub. Intell.*, July 7-14, 1656.

⁵³ Monk to Lambert, Apr. 22, in Firth, *Scotland and the Protectorate*, p. 91; *Cal. S. P. Dom.* (1654), p. 147.

⁵⁴ Monk to Cromwell, Apr. 25, in Firth, *Scotland and the Protectorate*, p. 93.

city authorities amid the sound of drums and trumpets and with all the panoply of war, the ceremonies ending with a display of fire-works in the evening.⁵⁵

The policy which was now adopted to reduce Scotland to submission was simple but severe. On the one hand it held out benefits to the country, especially to the middle and lower classes; on the other it imposed the most drastic terms on those who had supported or were supporting the cause of Charles II. The ordinance of grace and pardon extended over all the people of Scotland was modified by the exclusion of twenty-four persons — of whom all but three were lords of Parliament or their heirs — from the provisions of the ordinance by confiscation of their estates save for provision for their wives and children. Seventy-three others were fined sums which ranged from five hundred to fourteen thousand pounds sterling, which for a country as poor as Scotland was a crushing burden. Four men — Middleton, Seaforth, Dalziel and Kenmure — then leaders of the Glencairn rising, were proclaimed outlaws and a reward of two hundred pounds for each of them, dead or alive, was offered. On the other hand, Scotland was given thirty members in the new Parliament, freedom of trade with England, taxes proportional to those levied in England, and feudal jurisdictions and obligations were virtually abolished in favor of courts baron and juries. Thus, as Monk observed, the towns were "generally the most faithful to us of any people in this nation," but the nobility and gentry were for the most part unreconciled and unreconcileable. After the usual Scottish fashion, however, in such troublous times, it was reported that they endeavored to secure themselves by submitting to the existing government but allowing the younger sons to join the insurrectionary forces. The clergy, it was said, prayed for Charles II on the day after these proclamations, but it is evident that the old divisions in their ranks remained and that some of them took the side of the invaders after the manner of the old Remonstrants.⁵⁶

It was, then, Monk's task to conciliate or frighten the Lowlands; to prevent the army of Glencairn and Middleton from receiving aid from the other parts of Scotland, and to keep their forces from emerging from the Highlands, and, if possible, bring them to an engagement and crush them without himself being involved in a Highland campaign which he was neither equipped for nor willing to undertake. In this he was supported by Cromwell, deeply interested in the matter not only for its own sake but through his own experiences under not dissimilar circumstances. He kept in close touch with the situation and even took such personal

⁵⁵ *Merc. Pol.*, May 11–18; *Perf. Diurn.*, May 8–15; *Sev. Proc.*, May 16; Nicoll, *Diary*, p. 124; Monk to Lambert, May 4, Firth, *Scotland and the Protectorate*, p. 100.

⁵⁶ *Ibid.*, pp. 90 ff.; Gardiner, *Comm. and Prot.*, iii, 103–5.

supervision of the affairs of the army as must have been embarrassing to its commander. How close that supervision was, an incident at the beginning of Monk's preparations for his campaign testified. The captain of his own company, one Gardiner, was cashiered for stealing royal effects and sending them to London. Monk had intended that Gardiner be allowed to resign quietly but he received a note from the Protector, who had heard of it, ordering a court-martial for the offending officer. More than that, ignoring Monk's recommendation for the appointment of Gardiner's successor, the Protector, through his secretary, Malyn, ordered that a Captain Peacock be put in Gardiner's place.⁵⁷

If anything, Monk was even more diligent in reporting to Cromwell than Lilburne had been and, if one may judge from the frequent references in Monk's letters, Cromwell was no less regular in his replies. All the evidence goes to show, in fact, that Cromwell gave close attention to this Scottish venture, not only in its military but in its political aspects. On May 2 the Protector wrote that money was being sent to Scotland; that Colonel Pride's regiment was about to start for the north; that another force had been ordered to land in the Highlands; and that there was a design in Galloway, information of which was relayed to Captain Howard, commander of Carlisle.⁵⁸ On May 6, apparently, the Protector wrote again to protest that ten victualling ships requested by Monk were not necessary, and he enclosed in his letter a communication to three ministers whom he had known in his own campaign in Scotland.⁵⁹

To Mr. Robert Blaire, Mr. Robert Douglasse, and Mr. James Gutry, in Scotland these — hast.

GENTLEMEN:

Having occasion to speak with you concerning the settlement of the discomposed condition both of the godly people and ministers in Scotland, to the end you may enjoy the liberty of and fellowship in Gospel ordinances, and in all things tending to edification, the honour of Christian profession and practice, have protection and encouragement, these are to require you to make your repair hither to London with all convenient speed, so as you may be here by the first day of June next, or suddenly after. You are not to fail in giving obedience to this order, and I hope you will not be wanting in your duty to your people at such a time as this.

I rest,

Your loving Friend,
OLIVER P.⁶⁰

Whitehall, 6 May 1654.

These ministers were summoned to join the three already in London

⁵⁷ Comm. for Sequestration to Secretary Malyn, Apr. 8, Thurloe, ii, 224; Monk to Cromwell, May 2, 6, 21, in Firth, *Scotland and the Protectorate*, pp. 100-1, 107.

⁵⁸ Mentioned in Monk's letter to Cromwell, May 9, *ibid.*, p. 103.

⁵⁹ Monk to Cromwell, May 14; Monk to Lambert, May 16, *ibid.*, pp. 105-6.

⁶⁰ *Ibid.*, p. 102.

by Cromwell's orders in an endeavor to reconcile the various branches of British Calvinism, whether Independent or Presbyterian, to each other and to the Protectorate, in the new ecclesiastical system then projected. Though he did not succeed in bringing these men to London, for all of them found excuses for not obeying his order,⁶¹ it did not prevent two of them from being appointed "triers" for the ministry in the following August. This church settlement was the more important to the Protector at this moment in view of reports of an insurgent victory in Scotland, which, though unfounded, gave encouragement to the attacks on him and his government which were increasing in virulence. As the Venetian resident wrote, "if Cromwell is harried by events in Scotland, in England things become daily more serious for him. He is unpopular with the Londoners, the abuse lavished on him personally is all but universal, and by many of the military as well as others his assumption of absolute power is so resented that in the general opinion some very important change must befall him ere long."⁶² Many in London, Paulucci observed, hoped that the unfavorable reports from Scotland were true, that Cromwell's authority might be limited or overthrown. Even the peace with the Dutch seemed to deepen the hostility toward him, for with every success and every increase of power the number of his enemies grew and was expressed at this time by libels posted about the City and the epithets of "Promise-breaker," "Usurper" and "Tyrant" bestowed on him.⁶³ Many expected him to take a new title, and Hyde wrote that according to his information the Protector and his followers were "without doubt in deep consultation for some new title, and this one is whispered, *Oliverus Maximus Insularum Britannicarum Imperator Augustus.*"⁶⁴ It was believed that one of the chief duties of the Parliament which was to be called would be to make him "Emperor of Great Britain."⁶⁵

Such loose talk and wild rumors are a common phenomenon when a new system of government, especially a dictatorship, comes into existence, and such abuse was no new thing for Cromwell who had survived attacks no less bitter when he was in far weaker position to resist opposition. So long as his government suffered no serious military reverse and the army in general supported him, he was in no real danger of overthrow as he doubtless well knew. There was much evidence that he had not lost his hold on the army and the civil authorities. To offset these hostile demonstrations in the City came letters, official or semi-official, from many parts of the country telling of the proclamation of the Dutch

⁶¹ Monk to Cromwell, May 21, *ibid.*, pp. 105 and 102n.

⁶² Paulucci to Sagredo, May 13/23, *Cal. S. P. Ven.* (1653-4), p. 214.

⁶³ Same to same, May 6/16, *ibid.*, pp. 211-2.

⁶⁴ Hyde to Mr. Betius, *Clar. State Papers*, iii, 244.

⁶⁵ Paulucci to Sagredo, April 28/May 8, *Cal. S. P. Ven.* (1653-4), p. 210.

treaty to the accompaniment of shouts of "God save the Protector," and these were duly published in the news-books now wholly under control of the government.⁶⁶ Even Ludlow admitted that all the soldiers were fully paid with a month's advance, that there was £300,000 in ready money in the English treasury and half that much in Ireland,⁶⁷ so that there was no apparent danger from that quarter. The new administration was beginning to operate smoothly and on the whole, despite the drain of the armed forces, economically.

While the various administrative readjustments required by the changes in the government were being made, that government addressed itself to the two most pressing questions before it — the war in Scotland and foreign relations. Monk had already begun to take the steps which he considered necessary to check the inroad of the Highland hosts. Already established were a number of garrisons and well commanded forces at Perth, Ruthven in Inverness, and south of Moray Firth, and he himself advanced from Dalkeith to Stirling which was the key position in any such enterprise.⁶⁸ In his desire to prevent any access of aid to Middleton from the Lowlands, especially in the way of cavalry which the Royalist commander relied on to supplement his Highland clansmen, Monk had even suggested to Cromwell the imprisonment of fathers whose sons had joined the Royalists,⁶⁹ but that step was apparently not approved, doubtless in the well-founded belief that such a move would do more harm in rousing Lowland animosity than it would do good by keeping recruits from Middleton. Thus he secured the Highland frontier with the assistance of Argyll, who had made his peace with the Commonwealth, but whose reputation had been wrecked and whose son, Lord Lorne, then with Middleton, had been excepted from pardon in the Act of Grace. From this quarter there was little for the Protector to fear and it was not long before Monk's forces were prepared to invade the Highlands and give a final crushing blow to the Glencairn-Middleton army.⁷⁰

In the meantime, therefore, the Protector and his Council turned to clear up the remaining details of the peace with the Dutch. Those details were chiefly the resumption of relations with Denmark and the disposition of the fleet. The Danish envoy had been kept waiting for a month for an audience with the Protector and it was not until the last arrange-

⁶⁶ *Perf. Diurn., Sev. Proc., Merc. Pol., passim.* On May 9 Cromwell received a delegation from Poole and thanked its members for their support, *Perf. Diurn., Merc. Pol.*, 9 May.

⁶⁷ Ludlow, *Memoirs*, i, 379.

⁶⁸ Firth, *Scotland and the Protectorate*, *passim*.

⁶⁹ There is no record of any fathers being imprisoned for this reason.

⁷⁰ Gardiner, *Comm. and Prot.*, iii, 105-6; Firth, *Scotland and the Protectorate*, pp. xxix, 108, 110.

ments had been made with the Dutch that he was granted an interview. On May 5 he was received with every mark of honor and esteem,⁷¹ and conversations as to the settlement between England and Denmark were begun. The inclusion of Denmark in the Anglo-Dutch treaty made necessary certain financial adjustments in behalf of the English merchants whose ships had been detained in Danish harbors. It further involved commercial relations between England and Denmark, and it did not entirely rule out the possibility that the English navy, now at the height of its strength, might well be used against Denmark as well as against France or Spain.⁷² Its destination was, in fact, so secret that even the Navy Commissioners were not informed as to the Protector's plans for its use, nor for the disposition of the merchant ships detained at Tilbury Hope at great expense,⁷³ nor was the anxiety of the foreign envoys lessened by reports of frequent conferences between Cromwell and Penn.⁷⁴

By this time it was apparent that Cromwell was following his long established custom. He was endeavoring to suppress with a strong hand all opposition to his rule; he was conciliating such of his opponents as he could win to his side by any means; he was negotiating with all parties and with all powers; and he was keeping his real purposes to himself in so far as that was possible. In consequence here, as elsewhere, he confused and deceived his opponents. He had, apparently, made up his mind that war with Spain was his most profitable adventure, but no suspicion of that seems to have leaked out. Secrecy was necessary for his purposes, since a bargain had yet to be struck with France and the disclosure of his real design would be fatal to securing favorable terms from Mazarin. De Baas had not yet removed himself entirely from the negotiations, though his suggestion that if Mazarin wished to refuse Cromwell's demand for indemnity for English losses, he might do so on the ground that the existing government of England could have no security until it had been confirmed by Parliament,⁷⁵ seems to reveal his own personal feelings in regard to a treaty. The immediate question hung on the payment of indemnity. To Cromwell's message of May 5 suggesting the possibility of reducing that payment, Bordeaux replied that reprisals must be stopped and damages on both sides compared before a penny would be paid;⁷⁶ but Pickering, pro-French as he was, told de Baas firmly that payment must precede negotiation for a treaty.⁷⁷

⁷¹ *Sev. Proc.*, May 4-11.

⁷² Chanut to Bordeaux, Hague, May 10/20, Thurloe, ii, 276.

⁷³ Navy Commissioners to Admiralty Committee, Apr. 28, *Cal. S. P. Dom.* (1654), p. 134.

⁷⁴ Paulucci to Sagredo, May 13/23, *Cal. S. P. Ven.* (1653-4), p. 214.

⁷⁵ Gardiner, *Comm. and Prot.*, iii, 130, from de Baas to Mazarin, May 4/14.

⁷⁶ *Ibid.*, p. 132, from Bordeaux to Brienne, May 8/18.

⁷⁷ *Ibid.*, de Baas to Mazarin, May 8/18.

While the French ambassadors considered this ultimatum, Cardenas raised his offer of a subsidy to £300,000 on May 8⁷⁸ and by that time he probably had in hand a sum to be discreetly distributed among various influential officials, after the old manner of Spanish dealings with the English court. This offer, so far short of what the English authorities regarded as necessary for a war, merely produced a hint from Pickering to de Baas that an attack on Dunkirk might stir the animosity of the Dutch but some other plan might be suggested by the French. De Baas recurred to an attack on the West Indies, but was assured that this was not acceptable and that the Protector might make another proposal once the indemnity was paid.⁷⁹ This proposal de Baas refused and thus the matter rested for the moment as each side pondered the next step in this devious negotiation. On the other hand there seemed to be no doubt that the French court was not inclined to minimize the "terror of Cromwell," nor any question as to Mazarin's desire for a favorable peace with Spain, which he thought might be secured by an alliance with the Protector.⁸⁰

These matters of deep policy were, as usual, interspersed with others of comparatively trifling consequence. On the same day that the conversation with Cardenas took place, the Protector signed an order on the recommendation of his old antagonist, Robert Bernard, for Prideaux to draw up an order for the liberation of one William King, a horse-thief.⁸¹ On the next day, May 9, he signed an order to Gualter Frost to pay the salary of his old landlord, Lawrence, now President of the Council;⁸² and on the same day wrote a letter to his son-in-law, Fleetwood, which reveals that the Council, amid its consideration of affairs in Scotland and on the Continent, had not overlooked the matter of the elections to the new Parliament:

For the Lieutenant-General Fleetwood in Ireland.

Sir,

By the Instrument, whereby the government of this Commonwealth is settled, thirty persons are to be chosen and sent from Ireland to serve in the Parliament of this Commonwealth; But the distribution of these persons in reference to the several places for which they are to serve, to wit what places are fit to send members to Parliament, and how to be proportioned, with the manner of electing them is not determined by the said Instrument, but left to me by advice of the Council, And we being now upon consideration thereof, do think it necessary that we should have the advice of yourself and the other Commissioners there upon the place in this business; For which end I desire

⁷⁸ *Ibid.*, p. 133, Barrière to Condé, c. May 15/25.

⁷⁹ Consulta of the Council of State, Spain, April 2/12, Guizot, *Cromwell*, ii, 385-8.

⁸⁰ Two letters, May 6/16, Thurloe, ii, 267, 270.

⁸¹ Rawl. MSS., A328, f. 39.

⁸² *Ibid.*, f. 40.

you to consider with the said Commissioners to what places, and in what manner the thirty persons may be distributed, with most equality, and with respect to the present affairs, and whether you conceive any places or parts in Ireland to be capable of electing members themselves, and if [so], under what qualifications, or whether the present condition of affairs be not such, as that particular persons be called by writ for the next Parliament. I desire your advice and judgment upon the whole with all the expedition that may be, because the time of the next Parliament draws nigh and the writs of summons are to issue out by the first of the next month.

Your loving friend,

OLIVER P.^{ss}

May 9, 1654.

It is evident from the wording of this letter that the new government proposed that the form of election at least should be gone through with wherever it seemed possible, but it is no less evident that this could be scarcely more than a form, if that, in the greater part of Ireland. In opposition to Ludlow, the other members of the Irish Council, Fleetwood, Corbet and Jones, replied that in view of the desolate nature of the country and the unsettled conditions in many quarters, they could suggest no way to conduct elections.⁸⁴ None the less the forms were observed in so far as possible. Writs were prepared and sent out and some elections were held, though they were so closely supervised by the sheriffs and other officials that only men favorable to the Protector's government had any chance of being chosen,⁸⁵ and Ireland, in consequence, and in due course of time, provided a solid phalanx of supporters of the Protectorate.

That they might be needed was unquestionable, for while foreign affairs were shaping in Cromwell's favor, the domestic situation was not so promising. On May 9 the Protector issued a proclamation for a day of public thanksgiving on Tuesday the 23rd for the peace with the United Provinces and for a welcome rain which broke the long and serious drought that threatened to destroy the English harvests,⁸⁶ and was regarded by George Fox, at least, as a judgment of God on the regicide government. It may be noted that in general the government seems not to have been fortunate in its weather, and that, despite the claim that agriculture was more prosperous than under either Charles I

^{ss} In Dunlop, *Ireland under the Commonwealth*, ii, 424, from *Irish Records*, A/28, 26, f. 35. Ludlow, *Memoirs*, i, 387n. Mrs. Lomas omitted this on the ground that it was not personal. Firth omitted "the time of the next Parliament draws nigh" and "at the end of the letter," probably by inadvertence in copying.

⁸⁴ Ludlow, *Memoirs*, i, 387-8 and n.

⁸⁵ Thurloe, ii, 445, 530, 558.

⁸⁶ Signed by Thurloe. Pr. in *Perf. Diurn.*, *Merc. Pol.*, and *Sev. Proc.* Pub. separately May 11 and sent to the sheriffs that day. Pub. also in Dutch. Pr. in *Parl. Hist.*, xx, 287-9.

or Charles II, there was widespread complaint among the farmers. To this was added the decrease in trade, first by civil wars, then by foreign adventures, and last and by no means least by the tariff policy of the new government which, though it increased customs' receipts, was said to be a deterrent to trade in comparison with the free-port policy of the Dutch.⁸⁷ This feeling Cromwell realized; in it he may even have shared; and it found expression in a proclamation, extraordinary even in his public utterances:

By the Lord Protector. A Declaration of his Highness, Setting apart *Tuesday* the 23. of this present *May* for a publique day of *Thanksgiving*, for the Peace concluded between this Commonwealth, and that of the United Provinces, and for the late seasonable Rain.

That this hath been a Nation of blessings in the midst whereof so many wonders have been brought forth by the out-stretched arm of the Almighty, even to astonishment, and wonder, Who can deny? Ask we the Nations of this matter and they will testify, and indeed the dispensations of the Lord have been as if he had said, *England* thou art my first-born, my delight amongst the Nations, under the whole Heavens the Lord hath not dealt so with any of the people round about us.

The Lord having added another Link to this golden Chain of his loving kindness by giving us a Peace with Our Neighbours the United Provinces, (whereby he hath not only stopped a great issue of blood, but We trust also given us hearts to unite Our bloud and strength for the mutual defence of each other) calls for great return of Thanks for the same.

It is therefore thought fit to set apart Tuesday, being the 23. of this present *May*, as a day for Praise, and for the Thankful Acknowledgement of this blessing of Peace, which we hope hath in the womb of it many other blessings.

And let us not forget our other Mercies, was not the Earth lately so unusually parcht up, that it threatned Famin, and did cause the Beast of the field to mourn for want of food, and water to sustain it? And hath not the Lord so watered the Earth that he hath turned those fears into the expectation of the greatest plenty that ever was seen by any now living in this Nation? Consider we also the way whereby the Lord imparted this mercy to us, did any amongst us, foreknow it was coming, was it not by stirring up our hearts to seek the same by prayer, and that immediately before the Lord vouchsafed us this mercy? And doth this not bespeak? 1. That the manner of conveying this mercy is the best part of the mercy.

2. That the Lord has not cast us off, that his Spirit yet strives with us, that he hath a people of his love amongst us, and loves the Nation so far as to provoke it to be in love with calling upon the Name of the Lord for better things than Corn and Wine.

3. That he knows best how and when to answer the expectation of the Husbandman, and when to hear, even the mourning of the brute Beast, who

⁸⁷ Cp. Prothero, *Eng. Farming*; Rogers, *Hist. of Agriculture and Prices*; and Wm. Cunningham, *Growth of Eng. Industry and Commerce (Modern Times)* (Camb., 1912), i, 181-90.

will yet much more hear the desires of them that fear him, and that in the fittest season.

4. That the Heavens having thus declared the glory of God, and the Earth answering thereunto in its fruitfulness, Why should not we be melted and softned, humbling our selves under these marvellous kindnesses, and abounding unto all fruitfulness in every good word and work of love; And if every place hath been made partaker of his shewres, Why should not we (laying aside our differences) be enlarged also each to other?

5. That seeing the Lord hath been thus universal in this Mercy, why should we not universally turn from the National Evils and vain Practices which yet are too superstitiously and customarily exercised amongst us, which we need not repeat here, because they are too well known, and We trust will be remembred by those godly Ministers who shall be called to preach unto the People upon this occasion? Conclude we with the words of *David Psalm 107.5.*

30. *Then they are glad, because they be quiet, so he bringeth them unto their desired Haven.*

31. *O that Men would praise the Lord for his goodness, and for his wonderfull works to the Children of Men.*

32. *Let them exalt him also in the Congregation of the People, and praise him in the Assembly of the Elders.*

33. *He turneth Rivers into a Wilderness, and the water-springs into dry ground.*

34. *A fruitfull Land into barrenness, for the wickedness of them that dwell in it.*

35. *He turneth the Wilderness into a standing water, and dry ground into Water-springs.*

36. *And there he maketh the hungry to dwell, that they may prepare a City for Habitation.*

37. *And sow the Fields, and plant Vineyards, which may yield fruits of increase.*

38. *He blesseth them also, so that they are multiplied greatly, and suffereth not their Cattel to decrease. O that Men would praise the Lord for his goodness, and for his wonderfull works to the Children of Men.*

Given at White-hall this 9th. of May. 1654.^{ss}

Sentiments such as those expressed in this document find small reflection in formal political history, though they often go far to account for many phenomena difficult or impossible to explain on the basis of purely political principles. But apart from its religious tone, it had further significance. The decade which had elapsed since the beginning of the civil wars had been a time of great economic stress. The price of food had risen to unprecedented heights owing in large part to the interruption of the ordinary processes of production. Trade had been scarcely less disturbed, and among the other difficulties of the situation in which the Long Parliament had found itself, discontent over the economic conditions of the country was not the least. Among the results of those years

^{ss} Coll. of Proclamations (1654), [after p. 336].

The French intelligerce warned Scot against one of Thurloe's most active agents, Fitzjames, spoke of Royalists slipping into England by way of Scotland and suggested that it would be wise for the Council to shift its place of meetings frequently. It is always difficult, it is often impossible, to sift the grain of truth from the mass of rumor in such cases as these, and it not seldom happens that men serve both masters, they conspire with the conspirators and inform the government of the conspiracy, nor is the government's innocence of some share in encouraging a plot that it may gain popularity by exposing the plotters always as certain as one might wish. It is seldom if ever possible to prove the complicity of the head of any government in such proceedings, but there was enough discontent with the Protectorate to give substance to its charges in regard to the plots of its enemies at almost any period of its existence, and it lived in the perpetual shadow of the fear of those designs — and fear is the mother of suspicion and repression.

Such grave matters, however, seldom interfere with the minutiae of routine administration. Even while the Gerard plot was being investigated, on the day Whalley arrived the Protector signed two passes, one addressed to all officers on land and sea to permit Dr. John Norton to go to Scotland and return on some errand now unknown to us, and one for Henry Daubne and his servant to go beyond seas. He also signed two permits for the Dutch ambassadors to import eight hogsheads of wine, duty free,¹⁰³ and on the 13th he signed a pass for Antonio Telles, messenger from the Portuguese ambassador to King John.¹⁰⁴ On the following Monday, May 15, he ordered the payment of back salary for a judge who temporarily had no circuit assigned to him but who was on the northern circuit in the following year:

To Mr. Gualter Frost

OLIVER P.

These are to will and require you out of such moneys as now are or shall come into your hands for the use of the Council to pay unto Robert Hatton, Serjeant-at-Law, the sum of eighty-eight pounds, being so much due unto him for thirty-three days salary, after the rate of four marks per diem as Judge for the last Summer Circuit of Oxfordshire and seven other counties. Of which you are not to fail, and for which this shall be your warrant.

Given at Whitehall this 15th day of May, 1654.¹⁰⁵

From such details the Protector turned at once to a matter of more consequence to his administration than even the judiciary — the peren-

¹⁰³ *Rawl. MSS.*, A328, ff. 43-5.

¹⁰⁴ *Ibid.*, f. 45.

¹⁰⁵ *Ibid.*, ff. 45-6. There seems to be no other record of Hatton's having served in the summer of 1653. Inderwick's lists (*Interregnum*, pp. 321-31) do not include his name until the Lenten term of 1654-5.

nial problem of Ireland. The situation there was difficult in the extreme and Fleetwood and his Council were struggling valiantly with the puzzle of distributing lands to soldiers whose pay was in arrears and to Adventurers whose claims had been acknowledged by the late Act of Parliament. Faced with the inescapable fact that the properties at their disposal were not sufficient to meet the claims against them, the land had been revalued. The claims of the disbanded soldiers were nearly all settled, 4,711 persons were taken off the rolls and a state debt of £282,209 extinguished. But to accomplish this result it had been necessary to value the land at almost double the rate promised the Adventurers, and unless they were forced to accept a similar advance in valuation, the soldiers would have to be given nearly as much more land as they had already received. On the other hand if this were not done, the Adventurers stood to lose nearly half the money they had advanced. To this problem was added the scarcely less difficult problem of revenue, and there was even much concern in the minds of some over the harsh treatment of the native Irish. To lay all this before the Protector, therefore, the Commissioners sent William Rowe and Captain Richard Kingdon to England with instructions to inform Cromwell as to the state of the revenue, the cost of the army, the decline of revenue receipts and the disposal of the lands.¹⁰⁶

Such was the issue which faced the English government when on May 18 the Protector presented the papers of Rowe and Kingdon and the claims of the Adventurers to the Council which appointed a committee to consider the matter.¹⁰⁷ His next step was to order the Irish Council to appoint commissions to survey the ten counties set apart for transplantation, to which were presently added nineteen others. These surveys were found to be inaccurate and a few months later the physician-general of Ireland, Dr. William Petty, whose mathematical talents and organizing power had attracted the attention of the government, was appointed to take charge of a new survey. Nor was this, as the event proved, merely a question as to satisfaction of the claimants for Irish lands. The surveyor-general, Worsley, whose work was superseded by that of Petty, was strongly supported by the Anabaptists, Petty by the Protector's followers, and among its other results the Irish survey opened a new rift in the revolutionary party.¹⁰⁸

That was already apparent, and Fleetwood's difficulties were not wholly financial. The discontent with the Protectoral government which

¹⁰⁶ Instructions to Rowe and Kingdon in Dunlop, *Ireland under the Commonwealth*, ii, 422-3.

¹⁰⁷ *Cal. S. P. Dom.* (1654), p. 181.

¹⁰⁸ T. A. Larcom, *History of the Cromwellian Survey of Ireland* (*Irish Archaeol. Soc.*, 1851), pp. 23, 372, 382-83, 391; and M. J. Bonn, *Die englische Kolonisation in Irland* (Berlin, 1906).

had found expression in London was scarcely less evident in the army, especially that part of it which was in Ireland. Reports of its disaffection had reached the Protector and had been one of the reasons for his having sent his son Henry to report on the situation there. Not only the Anabaptists but Republicans like Ludlow who had fought, among other things, to prevent the control of the militia by Charles I, found it difficult or impossible to accept the supremacy of Cromwell not merely over the militia but over a standing army, much less to reconcile themselves to the exchange of monarchy for a dictatorship. As Ludlow wrote, the ambition of one man had destroyed the best hopes of the country when it was about to enter on the Promised Land of a republican form of government. That opinion was shared by many men of like temper, among them Colonel Alured, who had lately distinguished himself in Scotland, especially by his capture of the Committee of Estates. He had been sent to Ireland to take charge of moving troops from Carrickfergus to Scotland, and his conversation there was so disloyal to the Protectorate that when Captain Kingdon went to England he carried with him a letter suggesting Alured's removal from command. After Kingdon left, Fleetwood received such unfavorable reports of Alured's conduct that he wrote again urging the absolute necessity of replacing him with a man more to be trusted.¹⁰⁹ Cromwell's answer to the first letter was prompt and decisive. He wrote to Fleetwood to authorize him to recall the obstreperous colonel, and to Alured to give up his command and to account for his proceedings in supplying men for Scotland and the money in his hands:

To the Lord Fleetwood, Lord Deputy of Ireland

SIR,

By the letter I received from you, and by the information of the captain you sent to me, I am sufficiently satisfied of the evil intentions of Colonel Alured; and by some other considerations amongst ourselves, tending to the making up a just suspicion, — by the advice of friends here, I do think fit to revoke Colonel Alured from that employment.

Wherefore I desire you to send for him to return to you to Dublin, and that you cause him to deliver up the instructions and authorities into your hands, which he hath in reference to that service; as also such moneys and accounts concerning the same, according to the letter, herein enclosed, directed to him, which I entreat you to deliver when he comes to you.

I desire also, to the end the service may not be neglected, nor one day to stand, it being of so great concernment to hasten it, to employ some able officer to assist in Colonel Alured's room, until the men be shipped off for their design. We purpose also, God willing, to send one very speedily who, we trust, shall meet them at the place, to command in chief. As for provision of victual and other necessaries, we shall hasten them away; desiring that these forces

¹⁰⁹ Thurloe, ii, 294.

may by no means stay in Ireland, because we purpose they shall meet their provision in the place they are designed.

If any farther discovery be with you about any other passages on Colonel Alured's part, I pray examine them, and speed them to us, and send Colonel Alured over hither with the first opportunity. Not having more upon this subject at present,

I rest,

Your loving father,

OLIVER P.

16th May 1654.

I desire you that the officer, whom you appoint to assist the shipping of the forces, may have the money in Colonel Alured's hands, for carrying on the service; and also that he may leave what remains at Carrickfergus for the Commander-in-chief, who shall call there for it.¹¹⁰

To Colonel Alured

SIR,

I desire you to deliver-up into the hands of Lieutenant-General Fleetwood such authorities and instructions as you had for the prosecution of the business of the Highlands in Scotland, and you do forthwith repair to me to London; the reason whereof you shall know when you come hither, which I would have you do with all speed. I would have you also give an account to the Lieutenant-General, before you come away, how far you have proceeded in this service, and what money you have in your hands, which you are to leave with him.

I rest,

Your loving friend,

16th May, 1654

OLIVER P.¹¹¹

On the day he wrote to Alured, the Protector signed a permit for the three sons of Lord Robartes to go to France,¹¹² and seven Council orders, including one for the relief of poor creditors in Scotland.¹¹³ Later in the day, General Blake, who had come from the fleet, together with the Lord Mayor and several of the members of the London Common Council, dined with the Protector.¹¹⁴ If there was any particular occasion for this entertainment, it was not made public, but the fact that the ordinance for the monthly assessment was read next day in the Coun-

¹¹⁰ Lomas-Carlyle, CXCIII, from Thurloe, ii, 285, from a draft in the hand-writing of Thurloe. This is not, as Lomas-Carlyle says, in answer to Fleetwood's letter of May 18 [7?] pr. in Thurloe, ii, 294, but to his earlier communication.

¹¹¹ Lomas-Carlyle, CXCIV, from Thurloe, ii, 286. Written by Thurloe, signed by the Protector.

¹¹² Rawl. MSS., A328, f. 46. The three sons were John, Robert and Hinder. Robartes, who had been field-marshal under Essex and was to be Lord Deputy of Ireland in the Restoration period, was a leading Presbyterian and had withdrawn from politics after Charles I's execution.

¹¹³ Cal. S. P. Dom. (1654), pp. 165, 177.

¹¹⁴ Merc. Pol., May 11-18; Perf. Diurn., May 16; Sew. Proc., May 16.

cil,¹¹⁵ and that on the day following, May 18, the forms of the writs to be sent out for the elections to Parliament were approved by the Council, may give some clue to whatever political significance the dinner may have had.¹¹⁶ Though the Protector was to be consulted in regard to the assessment and though he was naturally deeply interested in the question of the elections to the new Parliament, he was not at the Council meeting but spent much of his time in conference with ambassadors,¹¹⁷ which seems to indicate that, important as domestic problems were, those of foreign relations appeared to him more important still. Nor is it without interest to note that in the midst of these greater affairs, on that same day the Council considered the case of a Captain John Hume, deprived of an annuity years earlier by the influence of the Earl of Hume on the Scottish judges. Cromwell had recommended a new trial and the Council suggested that he write a letter to the judges to that effect,¹¹⁸ which apparently he did.¹¹⁹

Meanwhile, however, he addressed himself to more important matters. On the morning of May 18 he received Bordeaux who had gone to the interview determined to end the Protector's cat-and-mouse game which Mazarin found so annoying. For that audience Cromwell had been prepared by his intelligence agents in France. These reported that Mazarin, in whose chamber the Protector's picture now hung, would yield to any condition to avoid war with England,¹²⁰ and that, disturbed by Spain's offers to England, the Cardinal had sent an agent secretly to Spain to ask for a general peace for fear that the Protector would join Spain against France.¹²¹ He was informed, moreover, that Irish officers were ordered to leave Paris by May 25, and that they would go over to Cromwell's side if Ireland were treated with respect and the transportation policy abandoned.¹²² Further advices were to the effect that Cromwell, who was now more than ever feared in France,¹²³ had been reported by Bordeaux as much inclined to peace with the French, but that the English demand for money was not popular.¹²⁴ On the other hand,

¹¹⁵ *Cal. S. P. Dom.* (1654), p. 180.

¹¹⁶ *Ibid.*, p. 182.

¹¹⁷ *Sev. Proc.*, May 18-25; *Merc. Pol.*, May 18-25.

¹¹⁸ *Cal. S. P. Dom.* (1654), pp. 78, 112.

¹¹⁹ May 16 were issued four new ordinances, for suspending proceedings of judges in cases of relief of creditors and poor prisoners, for holding court in Northwich during the plague in Chester, for relief of debtors in Scotland, and for amending a former ordinance for repair of highways (*Coll. of Proclamations*, 1654, pp. 333-41).

¹²⁰ Letter from Paris, May 12/22, Thurloe, ii, 275.

¹²¹ Intelligence from Paris, May 17/27, *ibid.*, p. 287. It was reported that eleven agents from the Huguenots were in Paris, believed to have been sent by Condé.

¹²² *Ibid.*, p. 275.

¹²³ *Ibid.*, p. 276.

¹²⁴ *Ibid.*, p. 296.

Bordeaux's father wrote the ambassador that Mazarin was informed that the Protector laughed at de Baas' proposals,¹²⁵ and Bordeaux's instructions reflected Mazarin's reactions to Cromwell's attitude.

Such intelligence compounded of truth, rumor and the imagination or prepossessions of agents anxious to approve themselves to their principals is the commonest phenomenon of diplomatic negotiation, but amid this conflicting testimony one fact stood out. It was that Mazarin was greatly dissatisfied with the existing situation of affairs between France and England. From the audience with Bordeaux there emerged another conclusion — that the French minister proposed, if possible, to put an end to that situation, or appear to do so, by specific demands. Instructed to make such proposals that Cromwell would have to give a definite answer, in default of which Bordeaux was to leave England, the French ambassador expressed himself in vigorous terms.¹²⁶ Insisting that the peace negotiations proceed without further delay, he told Cromwell and the commissioners who were present that France would not buy England's friendship nor would he remain in a country whose fleet was committing hostile acts against his own. On his part the Protector insisted that France had been the first offender and because her men-of-war had aided individual commanders in their aggressions on English shipping, France should make amends. To Bordeaux's complaint that English sailors had landed on French shores and attempted to carry off cattle, the Protector denied responsibility and complained in turn of the mobbing of Englishmen at St. Malo. Bordeaux retorted that the mob was infuriated by the seizure of ships from St. Malo and that the governor of the port had more than made amends by protecting the English sailors.¹²⁷ Finally the Protector ended the audience with a promise to punish the offenders, to have the French proposals debated, and to send Thurloe and the commissioners to Bordeaux the next day with their conclusions, which was accordingly done. Despite the apparently heated interchange of charges and counter-charges at the audience with the Protector, the meeting of the French envoys and the English commissioners on May 19 was so friendly that the French hopes for an early settlement were renewed.¹²⁸

They had the more hope of that since the French negotiations were more or less bound up with those with the Dutch who favored Anglo-French peace. On the afternoon of that same day, May 18, the Dutch ambassadors had a formal audience with the Protector, to whom they

¹²⁵ May 16/26, *ibid.*, p. 283.

¹²⁶ Dutch ambassadors to Ruysch, May 19/29, *ibid.*, pp. 298-9; cp. *ibid.*, p. 292.

¹²⁷ Gardiner, *Comm. and Prot.*, iii, 133-4, from Bordeaux to Brienne, May 22/June 1. *R. O. Transcripts.*

¹²⁸ De Baas to Chanut, May 19/29, Thurloe, ii, 298.

delivered a letter in Latin expressing the hope that England would reach an agreement not only with Denmark, which the Dutch treaty called for, but with France as well.¹²⁹ Later in the evening the three representatives of the United Provinces met Bordeaux in St. James's Park and compared notes on their respective audiences with the Protector, a report of which was sent at once to the Netherlands.¹³⁰ Their position and that of their country was more serious than that of the French ambassador and his master. The Netherlands were in a dangerous situation in the event of war either between France and England or Spain and England, and they were not immune from danger in the Franco-Spanish war which centered largely in the Low Countries. They were weakened by their long struggle with England; their trade had suffered greatly and was likely to suffer still more unless some arrangement could be entered into among the warring powers; and they had, besides, to face the awkward situation imposed by Cromwell's insistence on the Act of Exclusion of the House of Orange. De Witt was using every device of his political authority and adroitness to keep the Exclusion Act from being repudiated and the treaty of peace falling to the ground. Of the three Dutch envoys in England, the two from Holland, as the pro-Orange Friesland representative Jongestal wrote indignantly to the authorities of his province, were having secret conferences with the Protector.¹³¹ There was, in fact, such suspicion and such opposition to the Exclusion Act and to de Witt's maneuver, that Friesland demanded the ambassadors be required to send to the States General all secret acts and papers delivered to them by Cromwell upon pain of punishment for their concealment.¹³²

Under such conditions neither the peace with the Dutch nor an arrangement with France was an easy matter and there ensued further delay and conversations among the various parties concerned in these intricate negotiations. The meeting of the commissioners to settle the Anglo-Danish claims was to have been held on May 18, but on May 24 a proclamation by the Protector postponed that business until the 30th and in the meantime he took up the threads of negotiation with Cardenas.¹³³ Bordeaux's firm stand had failed to bring Oliver to terms. It seems, in fact, to have had the opposite effect, for a message the next day to the Spanish ambassador assured him that the Spanish offer of £300,000 was acceptable and that England was ready to make war with France on that basis. The Protector added, however, that on account of the

¹²⁹ Signed by the three ambassadors, May 18/28, *ibid.*, pp. 293-4.

¹³⁰ Ambassadors to the Greffier Ruysch, May 19/29, *ibid.*, pp. 298-9; *Verbael*, 445-6.

¹³¹ Jongestal to van Vlassen, May 19/29, Thurloe, ii, 299.

¹³² *Ibid.*, p. 304.

¹³³ *Perf. Diurn.*, May 25; *Sev. Proc.*, May 25.

rebellion in Scotland it would be necessary to confine hostilities to naval operations. Cardenas' instructions did not extend to such a contingency and he could only ask the Archduke Leopold for authority to accept Cromwell's terms and meanwhile urge the Protector to issue a manifesto declaring war on France. This, however, Cromwell declared was not England's custom. Whether or not his refusal was due to his desire to wait for Parliament to declare war or whether it was a mere subterfuge, it was sufficient to secure the delay which both Cardenas and Barrière wished to avoid on account of the Council's reported leanings toward France and the popular desire for an attack on the West Indies.¹³⁴

Again matters seemed to have reached a stalemate between the French and the Spanish representatives' pressure for war and the Protector's delaying tactics, but by May 19 Cromwell had further reasons for hostilities with France. The earlier rumors of a plot to assassinate him had been amplified and the root of that design had been traced to the English exiles who had found refuge in France. The details of its origin and its proposed execution were obscure even to many of those involved. Dozens of suspected persons were detained and questioned but the confessions and depositions of some of them proved that they knew little of the actual plans or their authors and others refused to commit themselves. Whatever the design of which the government was at this moment on the trail, it probably originated with or was fostered by the group of Royalist exiles about the Queen and Prince Rupert, then in Paris after his expedition to the West Indies. Charles II admitted knowledge of the plot but denied any complicity in it,¹³⁵ and it is probable that, however little he may have approved, Hyde knew of it. The advisers of Charles and of the Queen naturally favored an attempt to restore the monarchy but they disagreed as to the method. Hyde and Ormonde advised the King to sanction the activities of the Sealed Knot in organizing insurrection in England to support the Glencairn-Middleton rising in Scotland. The Queen's party, headed by Jermyn and Sir Edward Herbert, opposed Hyde in this as in all other matters and inclined to the assassination of the Protector.

Prince Rupert belonged to this latter group, though he refused to lend himself to a contemptible attempt to discredit Hyde at this moment, and was now engaged in a controversy with Charles over the disposition of the money which he hoped to realize from the sale of the ships he had

¹³⁴ Gardiner, *Comm. and Prot.*, iii, 134-5, from *Chantilly Transcripts*, Barrière to Condé, May 20/30, May 22/June 1.

¹³⁵ Letter, June 24/July 4, Thurloe, ii, 398. *The Declaration of H. H. (1655)* tried to make a case for the theory that Charles helped to engineer the plot, but this may be based on the statement of Bamfield in his letter to Thurloe (Thurloe, ii, 533). See also Thurloe, ii, 510.

brought back with him from the West Indies.¹³⁶ He was, according to general opinion, much influenced by Sir Edward Herbert, who was bitterly opposed to Hyde, against whom Herbert intrigued with the assistance of Sir Richard Grenville, Sir John Berkeley, Lord Gerard and the spy and conspirator, Bampfield, though without success. It was with the knowledge and approval of this group, apparently, that plans were laid to kill Cromwell, Lambert, Desborough, Pickering, Strickland and possibly Thurloe.¹³⁷ In the center of activities was that Colonel Fitzjames who had been employed earlier by Cromwell in his negotiations with d'Estrades over the surrender of Dunkirk.

From the confused accounts of the transaction and the often less than trustworthy reports of intelligencers, spies and informers, the course of events seems to be more or less as follows.¹³⁸ Under the impression that Fitzjames, who had once been a colonel in the royal army, was their friend, he was invited to Paris by the conspirators. With him came that Colonel John Gerard, the young Royalist who had been implicated in the disturbance made by Dom Pantaleon Saa in the New Exchange some months before. According to the story of Bampfield — whom no one trusted — Charles met these two men in Lord Gerard's chambers where he also found a Captain Griffin¹³⁹ and Colonel Whiteley, the latter of whom had been sent to France several months earlier by the conspirators who had been imprisoned in February.¹⁴⁰ In addition to these a certain Major Henshaw, with whose name the plot became associated, was said to have gone to Charles with John Wiseman and a Dutchman, Wilkenet, and proposed to murder the Protector, with the assistance of Prince Rupert's surgeon and of two priests, one of whom was Digby's secretary, the other Montagu's chaplain. These men, according to the somewhat fantastic story, had gone to England to await a favorable opportunity to put the project into execution.¹⁴¹

That opportunity, it was decided, would be given by the Protector's journey to Hampton Court on Sunday, May 14,¹⁴² but, whether he was warned or not, contrary to his custom, on that day he went by water as far as Chelsea and was escorted by his usual body-guard.¹⁴³ On the

¹³⁶ Cp. Clarendon, *History*, xiv, 71ff.

¹³⁷ Thurloe, ii, 346, 416.

¹³⁸ *Ibid.*, pp. 510-4.

¹³⁹ Suspicion fell on Griffin when Fitzjames was drowned in May and the papers found on him indicated that both he and Griffin were in the employ of the Commonwealth. *Nicholas Papers*, p. 92; *Verbael*, p. 447.

¹⁴⁰ Thurloe, ii, 533.

¹⁴¹ Riviere to Desborough, May 31/June 10, *ibid.*, p. 336.

¹⁴² On May 17 the Council authorized the payment of £750 to John Phelps for the repurchase of part of the Hampton Court properties, and ordered a committee to treat with the purchasers of Nonsuch House and Park to settle them on Cromwell. On May 30 the Protector was consulted in regard to the repurchase of Windsor Little Park. *Cal. S. P. Dom.* (1654), pp. 180, 190.

¹⁴³ *True Account*; Paulucci to Sagredo, May 19/29, *Cal. S. P. Ven.* (1653-4), p. 217; *Verbael*, p. 447.

following Thursday a "Cavalier gentleman" informed the Council of the design and measures were taken to capture the conspirators. The governors of thirty ports were ordered to prevent any one leaving England and to hold all persons entering the country.¹⁴⁴ By Sunday six men were on their way to the Tower—Colonel John Gerard; his brother, Gilbert; Humphrey Bagaley, who had been secretary to the late Earl of Derby; Sidney Fotherby, the son of Sir Richard Fotherby; an apothecary, John Jones; and Thomas Tudor, a chirurgeon.¹⁴⁵ The seizure of these men was but the beginning of a long series of arrests and examinations which went on for the next six weeks,¹⁴⁶ in the course of which Thurloe's office secured a great mass of information, true and false, on which was built the theory of a widespread and dangerous plot to destroy the Protector and his immediate supporters and to overthrow his government.

Among the earliest suspects was Mazarin's envoy, de Baas, and among the earliest examinations was that of an Anabaptist physician, a certain Dr. Naudin, whose name proclaimed his French blood. On May 23 he made what purported to be a full confession in which he described various conferences to which he testified he had been summoned by de Baas about a month before. The French envoy, Naudin said, had asked about Major General Harrison and inquired what chance there was of fomenting division in the army. Naudin, who seems to have been opposed to the Protectorate, was optimistic about the possibility of organizing a mutiny and brought into the conferences a certain Colonel Buller to whom that task was assigned.¹⁴⁷ According to Naudin, de Baas was angry over Cromwell's demands on France and had conceived this means of making certain that England would not be in a position to join Spain. Having written to Mazarin about the design, again according to Naudin, the French envoy had the physician with him every post-day in anticipation of Mazarin's reply.¹⁴⁸ De Baas justified his actions on the ground of Cromwell's designs in France in which he planned to use the Protestants in the same fashion that the conspirators were planning to use the English Anabaptists, and the French envoy professed to know the identity of the Protector's agents and to whom they were accredited.¹⁴⁹

¹⁴⁴ *Cal. S. P. Dom.* (1654), p. 184. An intercepted letter of Mar. 18 declared that some French Jesuits had sworn to kill Cromwell or lose their own lives. Thurloe, ii, 178.

¹⁴⁵ *Merc. Pol.*, May 23. Warrant for their arrest in *Cal. S. P. Dom.* (1654), p. 436; *Perf. Diurn.*, May 24; *Sev. Proc.*, May 18-25.

¹⁴⁶ *True Account*; examinations in Thurloe, ii, 309 ff.

¹⁴⁷ Examination of Buller in *ibid.*, p. 352.

¹⁴⁸ *Ibid.*, p. 309; another deposition by Naudin on June 5 in *ibid.*, p. 351; Bordeaux's relation of the affair to Brienne, June 15/25, in Guizot, *Cromwell*, ii, 362-7.

¹⁴⁹ Naudin's examination in Thurloe, ii, 412.

Such were the beginnings of the story of this conspiracy which were revealed to Colonels Edward Whalley, William Goffe and Charles Worsley, then described as "justices of the peace of the county of Middlesex." Impossible as it is to discern the truth which lies at the bottom of such stories as these, of some things we may be tolerably certain. The day before Naudin's confession, de Baas wrote to Mazarin in regard to the arrests being made,¹⁵⁰ which no doubt caused him some uneasiness, whatever connection he may have had with the affair. Of the six men taken on May 21, only one, the apothecary Jones, could be persuaded to talk. His examination implicated chiefly the chirurgeon Tudor and John Gerard, both of whom were then in custody.¹⁵¹ On May 24 the arrest of Colonel William Ashburnham was ordered and he was sent to the Tower three days later after an intercepted letter and the testimony of two servants had thrown suspicion on him, and his brother John followed him to the Tower on June 2.¹⁵² The latter, who had been implicated in the unfortunate journey of Charles I from Hampton Court to Carisbrooke, had long been busy in England collecting money for Charles II; the former had played no part in affairs since the civil wars. The Ashburnhams and Sir Richard Willis were the only prominent Royalists arrested at this time, and, as Thurloe wrote Pell, the two brothers were committed to prison "not for this immediate plot but yet for holding correspondence with Charles Stuart and for furnishing him with money."¹⁵³

While the arrests and examinations were going on, the Protector was busy with other affairs, of which three of very different character claimed his attention at this moment. The first was that of foreign affairs. On May 20 he gave an audience to the Danish envoy, Rosenwinge, who assured Cromwell that Denmark would give satisfaction for the losses claimed by England, as agreed upon in the treaty with the Netherlands;¹⁵⁴ and a few days later, with the Protector present, the Council passed an ordinance enabling the commissioners for the settlement of the matters at issue to examine witnesses or claimants under oath.¹⁵⁵ This ordinance Cromwell approved on May 26, when he also

¹⁵⁰ De Baas to Mazarin, May 22/June 1, *R. O. Transcripts* cited in Gardiner, *Comm. and Prot.*, iii, 148.

¹⁵¹ Examination of Jones in *True Account*, pp. 27, 40. Jones quoted Tudor as saying that Cromwell was so well mounted that no one could catch him on horseback.

¹⁵² *Cal. S. P. Dom.* (1654), pp. 273, 436; Thurloe, ii, 312, 321.

¹⁵³ Thurloe to Pell, June 10, Vaughan, *Cromwell*, i, 10.

¹⁵⁴ *Sev. Proc.*, May 18-25; *Verbael*, pp. 447-8.

¹⁵⁵ *Cal. S. P. Dom.* (1654), p. 186; Firth and Rait, ii, 899. The English commissioners were Edward Winslow and James Russell. Shortly before this, Cromwell had approved of two civilians and two merchants nominated by the East

gave his consent to an ordinance "for the Preservation of the Works of the Great Level of the Fenns." This measure was to protect the Earl of Bedford and the other Fen Adventurers who, having done their work to the satisfaction of the government and having received their 95,000 acres in payment, were, as such men had been since Cromwell's early years, annoyed by the efforts of the fen-dwellers to destroy the dikes. They were now safeguarded by this ordinance which also ordered payment of the upkeep of the work by the inhabitants of the drained regions.¹⁵⁶

The third piece of business was that of Scotland. Monk, who was now reputed to be Cromwell's favorite,¹⁵⁷ had begun his advance against the forces of Middleton and Glencairn. He had gone from Dalkeith to Stirling and thence to Kilsyth, where he awaited relief from the drought which prevented the horses from finding sufficient forage. Meanwhile Glencairn and Middleton moved southward; and while the opposing forces sought an opportunity to engage, the Protector addressed himself to the task of disposing of Scottish prisoners by his usual method of transportation:

To General Monck, Commander in Chief of the Forces in Scotland, and Col. Robert Lilburne, or either of them, or in their absence, to Col. Geo. Fenwick or Col. Ph. Twisleton.

OLIVER P.

We having taken into our consideration the great number of prisoners now in Scotland, and having an opportunity to transport some of them to the Barbadoes where there [sic] may be serviceable, We have thought fit, and do hereby authorize and require you to deliver into the custody and care of Mr. Parris, merchant of London, five hundred of the Scotch prisoners to be by him transported to Barbadoes aforesaid. And for so doing this shall be your warrant.

Given at Whitehall this 20th of May 1654.¹⁵⁸

To further reduce the number of prisoners being supported in various gaols, on the same day Cromwell signed eleven orders to Attorney-General Prideaux to prepare for his signature bills which would remove sixty-five persons from prison. Of these the first, a Welsh minister convicted of manslaughter, was pardoned:

India, Muscovy and Greenland companies and the traders to Brazil, to meet the Dutch commissioners on May 18 to discuss losses and indemnities on both sides. Wm. Foster, *Court Minutes of the East India Company* (Oxford, 1916), iv, pref. p. xx, 315, from Factory Records of Java, ii, pt. iv, p. 423.

¹⁵⁶ Firth and Rait, ii, 899-902; *Coll. of Proclamations* (1654), pp. 349-54.

¹⁵⁷ Nicholas to Rochester, Apr. 11/21, *Nicholas Papers*, p. 65.

¹⁵⁸ In Rawl. MSS., A328, f. 46. On July 10 Cromwell signed a similar authorization in favor of Thomas Kendall, one of the London merchants appointed to arbitrate the claims for English and Dutch losses. In *ibid.*, f. 92.

To Our Trusty and Well beloved Edmund Prideaux, Esq., Our Attorney-General

OLIVER P.

Whereas We are informed that one Thomas Tyrrell of Llewenny in Our County of Denbigh, Gent., at the grand Sessions in Wales holden at Dolgelly in Our County of Merioneth in August last past was indicted of manslaughter of one David Thomas; And upon his arraignment confessing the fact, had the benefit of Clergy; And reading as a clerk, had judgment to be burned in the hand. The execution whereof yet remains to be done, as We are also informed. And the said Thomas Tyrrell humbly having besought Us for Our gracious pardon unto him of the execution of the said judgment, Our will and pleasure is that you prepare for Our signature a bill containing Our gracious pardon unto the said Thomas Tyrrell accordingly. And for so doing this shall be your warrant.

Given at Whitehall this 20th day of May 1654.¹⁵⁹

In this general clearance of the prisons — the most extensive at any one time of which we seem to have record — six men were released from the Surrey gaol and fifty-eight from Newgate, held for crimes ranging through counterfeiting, horse-stealing, burglary, pocket-picking and adultery. Seven were pardoned unconditionally, one deported to Holland, the rest transported to the plantations.¹⁶⁰ Besides this and in spite of his earlier order to prevent persons leaving England on account of the plot, he signed a series of passports for all sorts of persons bent on all sorts of errands.¹⁶¹ It would seem that this sudden and extensive exercise of executive clemency had no connection with the activity then shown by Thurloe's agents in pursuit of the plotters. Yet the rumors of the plan for the Protector's assassination were reinforced from every direction. Among them was a report that on May 25 two Englishmen preached against him in Holland, one of them going so far as to say that a man might kill him with a clear conscience,¹⁶² a sentiment which, it is worthy of remark, was to become the basis of the activities of Colonel Sexby and the motif of his famous pamphlet, "Killing no Murder," which was soon to play a part in this underground warfare. All this,

¹⁵⁹ *Ibid.*, f. 53.

¹⁶⁰ The orders to Prideaux to draw up warrants for release are in *ibid.*, ff. 53-9. Cp. A. E. Smith, "Transportation of convicts to America" in *Am. Hist. Rev.*, xxxix (1934), p. 237, quoting a conditional pardon for convicts going beyond seas, dated Aug. 2, 1655, and stating that it was the first of its kind.

¹⁶¹ *Rawl. MSS. A.328*, ff. 48-53. May 22, Wm. Styles; May 24, for Edwards and Evans, agents sent to receive the Danish indemnity; May 24, Owen Lloyd going to Danzig for Thomas Corbett, a merchant; three members of the Dutch embassy; two Dutch merchants; one London merchant; one unidentified traveller to Flanders; one for Bordeaux's servant; one for a Dutch merchant; and one for Henry Howard, brother of the young Earl of Arundel.

¹⁶² Letter of intelligence, May 26/June 5, Thurloe, ii, 319.

however, made no apparent change in the Protector's course of life.¹⁶³ On that very day was held the thanksgiving for the Dutch peace and the rain, and Cromwell and his Council went to chapel in Whitehall to listen to Lockyer and Goodwin preach and pray in behalf of the Protector and his government.¹⁶⁴

On their part that group took another step to secure themselves and reconcile the nation to their rule when, on the next day, the Protector signed an order for the Commissioners of the Great Seal to issue writs of summons for the new Parliament which, it was announced, would meet on the third of the following September. In such fashion was fulfilled the promise in the *Instrument of Government*. That document had specified the constituencies which were to elect 400 representatives from England and Wales, but had left the question of Scottish and Irish representation to the discretion of the Protector and his Council, together with the final determination of the form of the writ. In accordance with that provision a tentative form was now sent to the Commissioners of the Great Seal with directions to prepare the writs in accord with the directions of the Protector and Council acting under the authority of the *Instrument*:

*To Our right trusty and well beloved the Lords Commissioners of
Our Great Seal of England*

OLIVER P.

Our will and pleasure is that you forthwith cause to be prepared and sealed with Our great seal of England writs of summons for a Parliament (the tenour whereof is herewith sent) to be holden at Westminster the third day of September next, the said writs to be directed to the several and respective sheriffs of counties in England, Scotland and Ireland, and officers of other places within the same, as in former times hath been accustomed, the persons to be selected by virtue of such writs to sit in Parliament to be only in such places and according to such proportions and numbers, and in such manner within England, Wales, the Isles of Jersey and Guernsey, and the town of Berwick upon Tweed, as by the Instrument intituled the Government of the Commonwealth of England, Scotland and Ireland, as it was publicly declared at Westminster the 16th day of December 1653, is provided and appointed; And the persons to be chosen by virtue of such writs in Scotland and Ireland shall be in such counties, cities and places and according to such proportions and numbers as shall be agreed upon, and declared by Us, and the major part of Our Council; which Agreement and Declaration of Us and Our Council; and the distribution of the persons to be chosen for Scotland and Ireland, and in what counties, cities and places, and in what proportion and number for each county, city and place, as

¹⁶³ On May 22 he referred to the Council the petition of John Parker who had bought the White House and gardens in Greenwich Park. He petitioned again in Aug., 1655, and in Jan. 1656 got an order for reference to the Treasury Commissioners. (*Cal. S. P. Dom.*, 1655, p. 308; *ibid.*, 1655-6, p. 136.)

¹⁶⁴ *Perf. Diurn.*, May 23.

also the tenure of the writ with such alteration as may suit with the present Government being made, and approved of by Us, and Our Council, We shall send you attested by the Clerk of the Council which shall be a sufficient warrant for your doings and proceedings therein.

Given at Whitehall 24 May 1654.¹⁶⁵

The Form of the Writ for calling a Parliament

OLIVER Lord Protector of the Commonwealth of England, Scotland and Ireland, To the Sheriff of the County of Bedford, Greeting. In pursuance of the Government of the Commonwealth of England, Scotland and Ireland as it was publicly declared at Westminster the 16th day of December 1653 and for other weighty and urgent affairs concerning Us, the State and defence of the said Commonwealth, We by the advice and assent of our Council have ordained a Parliament to be held at Our City of Westminster upon the third day of September next coming, and there to consult and advise with the Knights, citizens, and burgesses of the said Commonwealth. We do command you, firmly enjoining (that proclamation being made of the day and place aforesaid in every market town within your county) you cause to be freely and indifferently chosen by them who shall be present at such election five of the most fit, and discreet persons to form as Knights with their swords-girt for the said county of Bedford; and for the borough of Bedford one burgess of the more discreet and sufficient; and the names of the same knights and burgesses for to be chosen whether they be present, or absent you cause to be inserted in certain indentures thereupon to be made between you and them, who shall be present at such choice. And that you cause them to come at the day and place aforesaid, so that the said knights severally may have full and sufficient power for themselves and the people of that county. And the said burgess for himself and the people of the town aforesaid to do and consent unto those things which then and there by common council of the said Commonwealth in Parliament (by God's blessing) shall be ordained upon the weighty affairs aforesaid, so that for defect of such like power or by reason of improvident choice of the knights and burgesses aforesaid, the said affairs may not remain undone in any wise; And We will that neither you nor any other sheriff of the said Commonwealth be in any wise chosen, and that the said choice distinctly and openly so to be made you certify to Us in Our said Chancery under your seal, and the seals of them who shall be present at such choice, sending unto Us the other part of the said indentures annexed together with this Our writ. And in your proceedings and execution hereof We will that you pursue and observe the several directions limited, appointed and prescribed by the Government aforesaid.

Witness Our Self at Westminster.¹⁶⁶

Concurrently with the signature of these documents relating to the new Parliament, he issued a proclamation in regard to the problem of Dutch indemnity:

¹⁶⁵ Rawl. MSS., A328, ff. 59-60.

¹⁶⁶ Ibid., ff. 60-62; blank form, dated June 1, in *Parl. Hist.*, xx, 291-3.

By the Lord Protector.

Whereas by the thirtieth Article of the Peace lately made and concluded between his Highness the Lord Protector of the Common-wealth of *England, Scotland, and Ireland*, and the Lords the States General of the *United Provinces*, It is concluded and agreed, That four Commissioners shall be nominated on both sides to meet here at *London*, upon the eighteenth day of *May* one thousand six hundred fifty and four, Old Style, who shall be authorized to examine and determine all the Losses, and Injuries which either allege to have susteined from the other, since the year one thousand six hundred and eleven, unto the eighteenth of *May* one thousand six hundred fifty and two, as well in the *East Indies*, as in *Greenland, Muscovy, Brazeel*, or in any other place; the particulars of all which shall be delivered in to the said Commissioners before the said eighteenth of *May* one thousand six hundred fifty and four. And whereas in pursuance thereof Commissioners are respectively named, *viz. John Exton, William Turner, Doctors of Law, William Thompson, and Thomas Kendall*, Merchants, on the part of the *English*; And *Adryan Van Almonde, Christian Van Rodenbure, Lodovick Howens, James Oysel*, on the part of the people of the *United Provinces*, who not being able to meet so soon as the said eighteenth day of *May*, It was mutually agreed, That the said meeting should be deferred unto the thirtieth of the same moneth of *May*, and that the particulars of the said Demands on either part may be delivered in at any time before, or upon the thirtieth of *May* next, and that the same being delivered in before, or upon the said day, should be as effectual as if they had been exhibited upon the eighteenth day of *May* aforesaid. Which last Agreement his Highness hath Commanded by these presents to be made Publique, To the end all persons concerned may take notice thereof, and deliver in their Demands unto the Commissioners accordingly. The place of whose meeting is appointed to be at *Guild-Hall* upon the thirtieth of *May* aforesaid.

Given at *White-hall* the 24. of *May*, 1654.¹⁶⁷

Several other documents of less importance were signed by Cromwell before the end of May. Besides a pass for Lord le de Spencer on May 30,¹⁶⁸ there are two for a certain David Hauton on May 29. The first is addressed to the Governors of the several ports, and in the margin of the copy book, where the name of the person concerned is usually written, is the name "Ld. Grey," and seems to indicate that Hauton was some sort of an official agent, on a mission now unknown:

To all Justices of the Peace and Mayors, Sheriffs, Bailiffs, Constables Postmasters, and others whom these may concern

OLIVER P.

Whereas David Hauton is to make his speedy repair to Dover, These are to will and require you to furnish him with two sufficient horses, and a guide from stage to stage as the exigency of his journey shall require, he paying for them the usual rates. Of which you are not to fail.

Given at Whitehall this 29th of May 1654.¹⁶⁹

¹⁶⁷ Coll. of Proclamations (1654), (before p. 347).

¹⁶⁸ Rawl. MSS., A328, f. 65.

¹⁶⁹ Ibid., f. 62.

Cromwell also wrote at this time a letter of assistance for a Londoner who was an Irish Adventurer and one of the few willing to settle there:

To the Commissioners for Ireland

The bearer hereof, Mr. George Clarke, being an Adventurer for lands in Ireland to a good considerable portion, is gone over thither with a resolution to plant and stock his grounds, and hath, as I am informed, carried over with him servants and other necessaries requisite for that purpose, and having requested my letters to you to further the getting out of his proportion, was very willing to grant the same unto him, judging it my part by this or any other means to encourage so good a work, and therefore I do desire you to give him the best despatch you can in his business, that his forwardness to engage in that work, which the most show so great a backwardness unto, may not turn to his prejudice, as it will, if for want of a ready allotment made of his lands, his servants lie at charge upon him.

27 May 1654.¹⁷⁰

Four days later, in response to a petition of May 10,¹⁷¹ the Protector signed a warrant for the pay of the journalist John Hall:

To Gualter Frost

OLIVER P.

These are to will and require you out of such moneys as are, or shall come into your hands for the use of the Council to pay unto Mr. John Hall the sum of fifty pounds being for half a year's salary due unto him on the 15th of this instant May. Of which you are not to fail and for which this shall be your sufficient warrant.

Given at Whitehall this 31st day of May 1654.¹⁷²

While these matters, great and small, absorbed the Protector's attention, the arrest and questioning of suspicious persons continued. On May 29 another batch of prisoners was examined, mostly by Thurloe,¹⁷³ and their testimony brought to light further suspects, many of whom were promptly apprehended.¹⁷⁴ As the plot unfolded, Cromwell's foot-guard was increased,¹⁷⁵ and as the Anabaptists appeared to be involved, a letter signed by Cromwell and seven members of the Council ordered that their ministers, Feake and Simpson, be held *incommunicado* at

¹⁷⁰ Pr. in Dunlop, *Ireland under the Commonwealth*, ii, 429–30, from the Irish Record Office, Letters of the Lord Protector and Council, A/28, 26, f. 35. On June 3 Cromwell signed a pass for Clarke and ten horses to pass through Chester. *Rawl. MSS., A328, f. 66.*

¹⁷¹ In *Cal. S. P. Dom. (1654)*, p. 163.

¹⁷² *Rawl. MSS., A328, f. 107.* See also P. S. Havens' articles in *Huntington Library Bulletin*, no. 6 (1934). Since this order is in the copy-book among the documents dated in August, it may have been written then and pre-dated.

¹⁷³ Thurloe, ii, 330–3; *True Account*.

¹⁷⁴ Francis and Somerset Fox, cousins of the Gerards; Maj. Michael Mason, a fencer; and Col. Charles Finch, who managed to escape.

¹⁷⁵ *Sev. Proc.*, May 30.

Windsor.¹⁷⁶ On the day following this order, Somerset Fox admitted that Charles Gerard had laid the plans for an insurrection before him and that he had in turn brought into it his brother Francis and three others,¹⁷⁷ who met Gerard at an inn to discuss the plans. By this time the government had accumulated a mass of evidence and a strange collection of prisoners, including an illiterate horse-keeper, Captain John Wharton, in Blackfriars; John Man, a scrivener at Turners' Hall; Nicholas Watson, a barber, and some old Royalist soldiers.¹⁷⁸ Meanwhile a Richard Aldrich, sometime a colonel in Essex's army, addressed a plea for mercy to the Protector, implicating Major Thomas Henshaw and several others.¹⁷⁹

In such fashion the government gathered up the threads of information which involved an increasing circle of men, few of them of any consequence and few, so far as could be learned, principals in the suspected plot. The nearest the government had come to the actual identification of its leaders was the accusation against Colonel John Gerard, who was in custody; Major Henshaw, who had escaped; Gerard's kinsman, Somerset Fox; and an Islington schoolmaster, Peter Vowell. The examinations of these men and of others, incomplete as they are, seem to indicate a design for three hundred horse to fall on Whitehall, the Mews, and St. James's, then the securing of the City.¹⁸⁰ Though the apothecary Tudor, who was brought to Whitehall to be questioned, made his escape by letting himself down through a "house of office" in the orchard and so to the Thames,¹⁸¹ he had previously testified against Major Henshaw and John Wiseman, a Colonel Alexander on active duty in the Mews, and others. On June 1 the third Gerard brother was apprehended and confessed that Henshaw had enlisted seven hundred men; Colonel Dean, two hundred; two men in Southwark, still others; and that Colonel Charles Finch was to command one of the stations.¹⁸² With this the government considered that it had enough to bring some of the accused to trial, though it was charged openly of having invented the plot. Meanwhile it took every precaution. Drums beat constantly for recruits; sentries were doubled or trebled;¹⁸³ while placards were posted in London denouncing the Protector with devising the whole

¹⁷⁶ *Cal. S. P. Dom.* (1654), pp. 188-9.

¹⁷⁷ William Dodd, Thomas Saunders and Robert Devereux, all of whom, with Capt. Mildmay, were arrested.

¹⁷⁸ Thurloe, ii, 330-3; *True Account*.

¹⁷⁹ *True Account*, pp. 31-35.

¹⁸⁰ Thurloe, ii, 333-4, 338.

¹⁸¹ *Merc. Pol.*, May 25-June 1. He was recaptured in Aug. See Cromwell's warrant for pay of his guards, Aug. 14.

¹⁸² Thurloe, ii, 341-2. Thurloe dates this June 2, while *True Account* dates it June 19.

¹⁸³ *Cal. S. P. Ven.* (1653-4), p. 222; *Merc. Pol.*, June 1-8.

incident to strengthen his own power and, some said, to annihilate the nobility. In any event by the first of June the administration was in full command of the situation, with forces sufficient to quell any possible insurrection; and enough plotters and informers in its hands to go to trial.

What came to be known from its chief victims as the Gerard-Vowell plot was, like many such designs against such men in such a position, a fortunate thing for the Protector, so fortunate that, as in so many other cases, there was not wanting suspicion that the whole design was a device of the government itself, or at least that it was aware of the movement from the beginning and allowed it to work itself out until the authorities were ready to uncover it. At this distance and in view of the evidence remaining, it is difficult to determine the precise merits of the case. That there was discontent; that there were men who plotted the destruction of the Protector; that, given opportunity, they might well have made away with him, there can be but little doubt. But that this particular set of men was guilty, and still more that the right men were caught and executed there is, as there always is in such cases, some room to question. Finally, that the circumstances worked to the strengthening of the government there is still less reason to doubt, for assassination had long since been discredited as a means of political action. Moreover the success of any such movement would almost inevitably have meant further civil war, to which the great majority of the people, whatever their political persuasions, were opposed. Cromwell and his advisers and agents were well aware of all this, and whether or not the charges of connivance or provocation or actual fomenting of this plot had in them any semblance of truth, they were fully conscious of the benefits to the administration of such an enterprise as this. Whether they believed in it or not, they were determined to exploit it to the full, as their ensuing activities fully proved. They were not, indeed, able to connect any great names with the design, much less to seize the chief contrivers, but they did the best they could; and in this case the arrest and trial of the alleged plotters afforded them another opportunity for publicizing the strength — and the beneficence — of their government, of which they took full advantage.

CHAPTER VIII

DIPLOMATIC RELATIONS, PLOT AND PARLIAMENT

It was apparently at the very moment of the uncovering of the so-called Gerard-Vowell plot that John Milton published his *Second Defence of the English People*. If it was not intended as a rallying-cry to the Cromwellians at this critical moment, it was at least peculiarly opportune. As it rose to the heights of its eloquent peroration, it listed the heroes of the cause — first Fleetwood, then Lambert, Desborough, Whalley, Overton, Whitelocke, Pickering, Strickland, Sydenham, Sidney, Montagu, Lawrence, but above all Cromwell. It was a curious company, and though Overton was not to be long in that group, and Fairfax was not reckoned among them, these were Milton's champions of liberty. Yet even he admonished them. "I could earnestly wish," he wrote, "that you should leave the church to itself . . . introduce fewer laws . . . make better provision for the education and morals of youth . . . feel it unjust that teachable and unteachable, diligent and idle be maintained at public charge . . . give permission to those inclined to freedom of inquiry to publish . . . without private inquisition of any magisterial censor . . . not be afraid to listen either to truth or falsehood . . . [but ignore] those who never fancy themselves free unless they deprive others of their freedom." Peace, as he had written earlier, had its victories no less renowned than war, and there is a suggestion of warning even in his praise.

Yet in spite of the plots, in spite of the warning, these first six months of the Protectorate had been strikingly successful, especially in foreign affairs. Union with Scotland, beginnings of reorganization of the judiciary, the ecclesiastical system and the laws, the settlement of Ireland and of Scotland, all these, with his diplomatic successes, did much to disguise the difficulties of the Protectoral government. If the long drain of war and the armed forces had not ceased, it had been lightened; there seemed some hope of a Parliament; and even some of the most ardent Royalists began to despair of their cause. The armed forces, better paid and better satisfied than in years, made overt opposition to the government hopeless. In every direction the vigor and determination of a revivified administration, secure at home and respected abroad, efficient, powerful and feared, seemed to augur the continued success of the revolutionary leader and his followers.

Their government was in no sense popular. It rested not on the con-

sent of the governed, nor on ancient law or custom, nor on the love of the people for it or for its master. "From hence," Machiavelli had written just a century and a half earlier, "arises a new question — whether it be better to be beloved than feared, or feared than beloved? It is answered, both would be convenient, but because that is hard to attain, it is better and more secure, if one must be wanting, to be feared than beloved. . . . Yet a prince is to render himself awful in such sort that, if he gains not his subjects' love, he may eschew their hatred, for to be feared and not hated are compatible enough . . . a wise prince is obliged to lay his foundation upon that which is in his own power, not that which depends on other people, but, as I said before, with great caution that he does not make himself odious."

That, in so far as possible, Cromwell had endeavored to accomplish, and not without success. Yet in the position in which he found himself, opposed on the one side by the Royalists, whether Anglican, Presbyterian or Catholic, whom he had overthrown, and on the other by the more extreme members of his own party, in particular the Republicans and the Anabaptists, whose ambitions he had thwarted, he had not been able to reconcile either group to his personal supremacy. Nor can he be properly described as holding the balance between the two and occupying a middle ground which, while not entirely satisfactory to either, was a working compromise between the two extremes. In one sense he seemed to steer a middle course. In another, and perhaps more accurately, he held his own course which was modified by the elements opposed to him, rather than being a compromise between the two, for whatever either of them wanted, it was certainly not a dictatorship. He had entered the civil wars as an avowed champion of liberty against the encroachments of monarchy and ecclesiasticism, but he had now suppressed the freedom of all those not of his own party in the name of the liberty which he still professed. He had become not the leader but the master of the British Isles. He had not been able to govern through or with the selected group of his own party which he had called in place of a Parliament. It remained to see whether he could agree with any Parliament, however chosen.

In the last resolution, however, that was of small consequence so long as he controlled the army. To it he seemed the ever-victorious captain who had overthrown its enemies and rewarded it with the spoil of the conquered. To the Independents he seemed the Moses who had led the chosen people out of bondage into the Promised Land of political and religious supremacy. But to the Anabaptists and Quakers among them he was the betrayer of religious liberty, and to the Republicans and Levellers he was a traitor to the cause of political liberty. To all of these he was the leader who had used them for his own advancement. To Royalists he was the usurper who had killed and taken possession of the

authority of the rightful sovereign. To Anglicans he was the destroyer of the true church. To foreign observers, on the other hand, he was merely the most successful of a long line of tyrants who by force or fraud or both had raised themselves from obscurity to power, and he was to be dealt with not in terms of the Golden Rule or the Ten Commandments but in the manner set down once for all by the author of *The Prince*. To them his appeals to the judgment of Heaven, his assumption of the peculiar approbation of the Almighty, his religious emotionalism, his impassioned exhortations, were matters of merely curious interest as part of the methods by which he had made his way to the seats of the mighty.

But in one thing all were forced to agree, however reluctantly. It was that, whatever his motives or his methods, he had proved himself superior in arts and arms to any and all of his fellow-countrymen. As commander, orator, intriguer, politician, administrator and diplomat, he had that combination of qualities which brings men to the head of affairs, and the distrust of his opponents, like the hatred of his enemies, was a tribute, among other things, to the very talents which made him what he was. Whatever the spiritual impulse which lay behind his actions, he had by nature the qualities which Machiavelli had so highly commended to princes when he wrote, "It is honourable to seem mild and merciful, and courteous, and religious, and sincere, and indeed to be so, provided your mind be so rectified and prepared that you can act quite contrary upon occasion. And this must be premised, that a prince, especially if come but lately to the throne, cannot observe all those things exactly which make men be esteemed virtuous . . . and therefore it is convenient his mind be at his command, and flexible to all the puffs and variations of fortune; not forbearing to be good whilst it is in his choice, but knowing how to be evil when there is necessity." A prince should "strive that in all his actions there may appear magnanimity, courage, gravity and fortitude, desiring that in the private affairs of his subjects his sentence and determination may be irrevocable, and himself to stand so in their opinion that none may think it possible either to delude or divert him, . . . if he be feared, people will not easily conspire against him, nor readily invade him . . . for a prince ought to be terrible in two places — at home to his subjects and abroad to his equals. . . . When things are well abroad, his affairs at home will be safe enough, unless they be perplexed by some secret conspiracy, against which the prince sufficiently provides if he keeps himself from being hated and despised, and the people remain satisfied of him."

Had Cromwell read Machiavelli — which there is no reason to believe that he had — and had he deliberately modelled himself on the character of a successful prince as delineated in the Italian's pages — which there is still less reason to think he did — he could not have better

met the requirements laid down in that guide to success in the government of men. Under the circumstances it was impossible that he should gain the love and confidence of his subjects or even a majority of them, but equally under the circumstances this lack and the defects in his title were compensated for by his control of overwhelming forces which secured his position at home and abroad. So long as he remained the master of this *imperium in imperio* he had little to fear, and apart from the means by which he had secured and maintained his authority, he endeavored to provide his country with a government fitted to its needs and the situation in which it found itself. If he was, in the language of a later generation, a "despot," he was, in so far as his position made it possible, an "enlightened despot."

But even despots are in no small measure bound to confine their activities to the pattern of affairs to which their subjects have been accustomed, and to this Cromwell was no exception. Among other things, England was used to the regular administration of justice and a parliamentary system, and by his own training and prepossessions, no less than by the necessity of the situation in which he found himself, the Protector was compelled to follow this pattern. He had endeavored to fill the judicial posts with the ablest men he could find and he was careful to see that they were punctually paid. At this moment, on May 30, he signed an order to Frost to pay John Greene, the son of the late Serjeant-at-Law of the same name, the sum of £226/6/3 for his father's services as Serjeant and Judge of Assize¹ and two days later he issued another order to Thomas Faulconbridge, Receiver-General of Public Revenue, to pay to Serjeant-at-Law John Glyn £84/16 for thirty-two days' expenses for himself, his assistants, servants and horses in the southwestern circuit at the rate of fifty-three shillings a day.² On that same day he approved a batch of thirty-five orders of the Council³ and signed two passes⁴ and another on June 3,⁵ issuing meanwhile an "ordinance of explanation touching the jurisdiction of the Court of Admiralty."⁶ His secret service in the meantime had not been idle. Intercepted letters which found their way into Thurloe's office reported that the English army was insufficient to contend with any possible outbreak in Scotland, that there was much discontent among the soldiers on account of Cromwell's constant shifting of officers and that Lambert was doing to

¹ *Rawl. MSS.*, A328, f. 94-5.

² *Ibid.*, ff. 78-9. He signed a similar order on June 29 for the summer term. *Ibid.*, f. 79.

³ *Cal. S. P. Dom.* (1654), p. 196. At least one order was not approved.

⁴ One for a Matthew Carvile to go to Amsterdam, the other for Lt.-Col. Gilbert Talbot and Capt. Francis Nugent, late in active service in Scotland, to go to Flanders. *Rawl. MSS.*, A328, ff. 63-4.

⁵ For Jacob Fortree, son of a London merchant, to go to France. *Ibid.*, f. 64.

⁶ *Coll. of Proclamations* (1654), pp. 357-8.

Cromwell what Cromwell had done to Fairfax, that is to say putting his friends in posts as fast as they were vacated. To this another letter added that Cromwell had spent £100,000 a month when he first went into Scotland, but now the delinquents' lands were all sold and there remained only the assessments to rely upon for revenue. The writer declared further that since Charles I's death the government had spent ten millions more than the assessment — a figure which, unless he meant Scottish pounds, was grossly exaggerated.⁷ The facts were not perhaps as the writers represented them, but their reports gave an idea of the popular impression of the Scottish situation, which was not promising. Moreover it appeared that the Protector's order to draw up the writs for the Parliament had not been carried out because of doubts as to details, especially as to doubts in regard to the time of the tests, and he now directed the Commissioners of the Great Seal to proceed in the matter according to their own judgment as to the best time and means for "the discreet and orderly managing the respective elections":

*To Our right Trusty and right Wellbeloved the Lords Commissioners for
Our great Seal of England*

OLIVER P.

Whereas by Our warrant under Our sign manual of the 24th of May last, We signified Our pleasure that you should forthwith cause to be prepared and sealed with Our great Seal, writs of summons for Our Parliament to be holden at Westminster the third day of September now next coming; And for that We are informed the said writs are not yet passed by reason of some doubts conceived as well touching the time of the Test of these writs, as other circumstances concerning the same: Our will, and pleasure is that with the advice of Our judges and Our Council Learned (if to you it shall seem expedient) you forthwith direct such times of the Test for Our said writs of summons (with respect to the Instrument intituled the Government of the Commonwealth of England, Scotland, and Ireland) as shall be most convenient for the discreet, and orderly managing the respective elections: And what other doubts, or questions may arise concerning the said writs, or any of them, you forthwith settle the same (if you can) or otherwise certify Us, or Our Council together with your opinions thereupon, that this service of so great importance to Us, and the state of the Commonwealth be no longer delayed.

Given at Whitehall this third day of June 1654.⁸

On that same day three new judges were sworn in — Newdigate for the Upper Bench, Pepys for the Exchequer, and Windham for Common Pleas; with these and John Glyn, who had been appointed Serjeant to his Highness on May 22, and William Ellis, who had been made Solicitor-General on May 24, the legal and judicial machinery of the Protectorate was rounded to completion.⁹ With the matter of

⁷ Thurloe, ii, 413-14.

⁸ *Royal. MSS.*, A328, f. 65.

⁹ *Perf. Diurn.*, June 3; *Merc. Pol.*, June 1-8; *4th Rept. Dep. Keeper of Public Records*, App. II, pp. 189-98.

Parliament and the judiciary attended to, the important activities of these beginnings of Oliver's personal rule were crowned by the delivery to him of the Exclusion Act as the last step in the peace negotiations with the States General.¹⁰ On June 5, in consequence, the Protector issued a pass for certain members of the staff of the Dutch ambassadors to return home, which gives some idea of the staff of such an embassy in those days:

To the Governors or other chief officers of the several ports within this Commonwealth and others whom this may concern

OLIVER P.

These are to will and require you to permit and suffer Gerard Van der Does, Jacob Schoonhoven, Maerten Christiaen Tuorius, Andres Commerstein, Jacob Van der Dussen, Jan Pesser, Adrian Pellicorne, Coenradus Coenen, Arent Dwingeso, Frans Hoogerven, Johannes Hooft, Marin Sebar, Peter Bernards, and Martinus Van Vliet, Gentlemen, belonging to the Ambassadors Extraordinary from the Lords the States General of the United Provinces of the Netherlands, with Jan Grygery, Dirck Gerritse, Jan Van Delft, Thomas Van Utrecht, Leendert, Harry Begerliis, Thomas Smith, Jacob Hart, and Francisco Benica their servants, and necessaries to pass from England to any of the ports of the United Provinces aforesaid without any your lets or molestations notwithstanding any order of restraint. Of which you are not to fail, and for which this shall be your warrant.

Given at Whitehall this fifth day of June 1654.¹¹

On that same 5th of June, turning aside for a moment from the affairs of state, the Protector also signed an order for the delivery of various lands to Lord Herbert of Ragland in an endeavor to settle the long-standing dispute over the Worcester estates, accompanied by two lists of the property which had been settled on Lord Herbert by Act of Parliament of July 16, 1651 confirming his inheritance from his grandfather and his great-grandfather, the fourth and fifth Earls of Worcester.

Order for the Committee for the Army

OLIVER P.

Whereas We are informed that all such deeds, indentures, and other writings, and papers relating to the estate late of Henry and Edward, Earls of Worcester are in the hands and custody of the Committee for the Army. It is our pleasure that the said Committee for the Army do deliver unto Henry Lord Herbert all such of the said deeds, indentures, writings, and other papers whatsoever that do any way concern or relate unto the several manors, rectories etc. (part of the Estate aforesaid) mentioned, and expressed in the particular

¹⁰ Beverning to de Witt, June 17/27, in Hague Archives.

¹¹ *Rawl. MSS.*, A328, f. 66. On that same fifth of June there was a secret meeting of the Council ordered, at which Cromwell was apparently not present, and, though the orders were not entered on the Council Book, fourteen ships were designated for the Western Design and twenty ships plus four for Blake's expedition. *Cal. S. P. Dom.* (1654), pp. 200-1.

hereunto annexed, excepting those for the lands called Crym Lands as in the said particular is excepted.

Given at Whitehall this 5th of June 1654.¹²

The first week of June, therefore, saw the conclusion of many pieces of business, important to the Protector both in his public and his private capacity. The Dutch negotiations had been brought to a fortunate issue; the judiciary was well on its way to settlement; the Parliamentary problem was being solved; and the long controversy with the Herberts over the estates which had been taken from them to reward their conqueror had come to an end. Nor was this all the business of that busy week. Always, behind everything, there was the plot, and on June 1 the Protector had brought before him an officer of the troops at the Mews, one Joseph Alexander, charged with complicity in the design. Alexander was an important witness, both on account of his personal connection with two of the chief agents, Henshaw and Wiseman,¹³ on account of the post he held, and on account of his willingness to talk. His testimony implicated others, including Colonel Aldrich and a certain Michael Mason. Alexander himself, according to his story, was to have assisted John Gerard in the attack on the Protector on the way to Hampton Court and was to have had a command in the Duke of York's regiment in England in case the plot succeeded.¹⁴ One after another the men in custody were examined; on June 5, Colonel Gerard and Mason, who added little if any important information; and on June 6, the schoolmaster Vowell, who denied any share in the plot. Bordeaux's information that the key man in the design had escaped to the Continent¹⁵ was doubtless true. None the less on the day of Vowell's examination Cromwell signed a warrant for the arrest of two important suspects, Henshaw and Finch:

To Nathaniel Walter

OLIVER P.

These are to will and authorize you to apprehend the body of Colonel Charles Finch, and likewise Major Thomas Henshaw and to bring them in safe custody before us, or the Council. And to that purpose you have authority to search for the said persons in any house or place whatsoever, and to break open any doors or locks for executing the premisses; wherein all officers as well civil as military to be aiding and assisting to you: And for which this shall be your warrant.

Given at Whitehall this 6th of June, 1654.¹⁶

¹² Rawl. MSS., A328, ff. 82-3.

¹³ Information on Henshaw, Wiseman and Wilkennet in Thurloe, ii, 360.

¹⁴ True Account, pp. 67-70.

¹⁵ Bordeaux to i, June 5/15, R. O. Transcripts cited in Gardiner, Comm. and Prot., iii, 148n.

¹⁶ Rawl. MSS., A328, f. 80. Not entered in copybook for ten days after the date.

If Bordeaux's information referred to either Henshaw or Finch, it was correct for they were not captured and on June 9 their names, with that of Colonel Philips who had earlier escaped from the Tower, were included in a list of men wanted, none of whom, apparently, was ever taken.¹⁷ Meanwhile, although the Protector received on June 6 addresses from Berwick and Warwick promising obedience,¹⁸ warnings came into the government from every direction. Fleetwood sent word not to admit any Irishman to the Protector's presence under any pretext,¹⁹ and presently followed that warning with an insistent letter to the effect that his wife's condition required a speedy decision from Oliver as to whether he was to be recalled to England or not,²⁰ though in fact he was not relieved for many months. From Holland came intelligence that Lord Culpepper had sworn that either he or his sons would kill Cromwell and that the Princess Royal and the Queen of Bohemia encouraged such sentiments.²¹ Moved by these or other warnings, on June 7 at the Council meeting in his own lodgings at which the procedure for proclaiming the Parliamentary elections was discussed and a decision made to read the *Instrument of Government*,²² the Protector signed an order which was to have a dramatic consequence:

To John White

OLIVER P.

Whereas We are informed that several priests and Jesuits are now resident in this Commonwealth, contrary to the laws in that case provided: These are to require and authorize you to apprehend all such persons whom you know to be priests, or Jesuits, and them forthwith to bring before Our Council at Whitehall. And for the better performing of the premisses all constables, and other officers are hereby required to be aiding, and assisting to you.

Given at Whitehall this 7th of June, 1654.²³

In such an atmosphere of fear and suspicion the usual business of government went on. It was interrupted by the result of the order against the Jesuits. Its first victim was a man who bore a name eminent in Jesuit annals, John Southworth or Southwell, who had once lived with the Spanish ambassador, Cardenas, who hastened to intercede for him.²⁴

¹⁷ *Cal. S. P. Dom.* (1654), p. 205. Others were Mr. Bowers, Col. Deane, Maj. Hardcastle, Thos. Mayhood or Mayhart, Henry Browne, Capt. Levinston and one Seagrave, a Papist.

¹⁸ *Perf. Diurn.*, June 6, 7; *Merc. Pol.*, June 1-8, 8-15.

¹⁹ Fleetwood to Thurloe, June 2, Thurloe, ii, 343.

²⁰ Letter June 7, *ibid.*, p. 357.

²¹ Intelligence, June 2, *ibid.*, p. 344.

²² *Cal. S. P. Dom.*, (1654), p. 201; *Cal. S. P. Ireland* (1647-60), p. 802.

²³ *Rawl. MSS.*, A328, f. 67.

²⁴ Cardenas to Cromwell, June 16/26, asking reprieve for "Juan Southwel Ingles" in Thurloe, ii, 376.

But Southworth was apparently determined to be a martyr. Despite the appeal of the Recorder Steele, who begged him to deny his profession, and the obvious inclination of the court to accept such a denial, he made no defence. He admitted that he was a Jesuit; his room contained all the requisites for the celebration of the mass; and his condemnation under the Elizabethan statutes was assured. On June 28 in the view of an immense crowd he was led to his death with a dozen criminals, hanged, drawn and quartered in the presence of the horrified and sympathetic spectators. When informed of the circumstances, the Protector was reported to have protested against such cruelty and according to Paulucci — who was becoming increasingly hostile to Cromwell — he expressed himself as vigorously opposed to violence in the matter of religion and insisted on liberty of conscience.²⁵ He had even, it would seem, tried to save the priest's life, though when he signed the order for the apprehension of the Jesuits, he must have known what the result would be if any of them were caught, and here, as in so many other cases, whether or not it was his fault, his words and his acts failed to square with each other.

The order against the Jesuits was only one of several signed on the same day. Among others was the order for the preparation of three grants, the first for one of the members of the Council to be chamberlain of Chester, the other two for his son-in-law, now Master of Horse, to be Master of two forests in his native county of Northampton:

*To Our trusty and welbeloved Edmund Prideaux, Esq., Our Attorney-General
OLIVER P.*

Our will and pleasure is that you forthwith prepare for our signature a bill containing our letters patents of grant unto our right trusty and welbeloved Councilor Humphrey Mackworth, Esq. of the office of Chamberlain of Our county Palatine of Chester. To hold by him, or his sufficient deputy or deputies, for term of his life with all wages, and fees therefore anciently due, and of right accustomed, in as large, ample, and beneficial manner, and form to all intents and purposes as William Earl of Derby, or William Lenthall Master of the Rolls in Our Chancery, or any other person, or persons heretofore had, or enjoyed the same. And for so doing this shall be your warrant.

Given at Whitehall the seventh day of June 1654.²⁶

*To Our trusty and welbeloved Edmond Prideaux, Esq., Our Attorney General
OLIVER P.*

Our will and pleasure is that you prepare a bill for our signature containing Our grant unto John Claypole, Esq. Master of Our Horse, of the office of Master of our Forest of Salcey in our County of Northampton, and of our game there. To hold the same during his life by him, or his deputies together

²⁵ Paulucci to Sagredo, June 29/July 9, *Cal. S. P. Ven.* (1653-4), pp. 253-4.
²⁶ Rawl. MSS., A328, f. 68.

with all fees, profits, powers, privileges, advantages, and emoluments whatsoever thereunto belonging, in as large and ample manner as Edward late Earl of Dorset or any other person, or persons heretofore held or enjoyed the same. And for so doing this shall be your warrant.

Given at Whitehall this 7th of June 1654.²⁷

*To Our trusty and welbeloved Edmond Prideaux, Esq., Our Attorney General
OLIVER P.*

Our will and pleasure is that you prepare a bill for our signature containing our grant unto John Claypole Esq. Master of Our Horse of the office of Master of the Forest of Whittlewood in the County of Northampton and of our game there. To hold the same during his life by him or his deputies together with all fees, profits, powers, privileges, advantages, and emoluments whatsoever thereto belonging in as large and ample manner as any person or persons heretofore held or enjoyed the same. And for so doing this shall be your warrant.

Given at Whitehall this 7th of June 1654.²⁸

Though if we may judge from the number of such documents as have survived there were not many passes issued, it would seem that in comparison with earlier years the restrictions on movement between England and the Continent were being relaxed in some measure. On June 6, the day he admitted to audience the agents from Oldenburg,²⁹ the Protector signed a pass for three men to go to Danzig³⁰ and on the 7th a permit for the Dutch embassy to import five hogsheads of wine duty free.³¹ Thus far there had been few such passes issued to Frenchmen. The Council had been sitting day and night examining into the assassination plot³² and de Baas informed Mazarin that a considerable number of his countrymen had been arrested in connection with it.³³ The Protector himself had questioned de Baas' agent, the Marquis de Cugnac, whose brother, the Marquis de Montpouillan, one of de Baas' retinue, was now permitted to leave the country:

*To the Governors or other chief officers of the several ports within
this Commonwealth and whom else these may concern*

OLIVER P.

These are to will and require you to permit and suffer the Marquis of Montpouillan with his three servants and equipage to pass from England beyond the seas to France without any your lets, hindrances, or molestations. Of which you are not to fail and for which this shall be your warrant.

Given at Whitehall this 7th of June 1654.³⁴

²⁷ *Ibid.*

²⁸ *Ibid.*, f. 69.

²⁹ *Ibid.*, f. 69.

³⁰ Whitelocke, p. 591.

³¹ De Baas to Mazarin, June 15/25, R. O. Trans. in Gardiner, *Comm. and Prot.*, iii, 151.

³² *Rævl. MSS.*, A328, f. 67. Cugnac was given a like pass on June 28.

²⁹ *Merc. Pol.*, June 1-8.

³⁰ *Rævl. MSS.*, A328, f. 67.

To this on the next day the Protector added a pass for de Baas:

To the Governors and other chief officers etc.

OLIVER P.

These are to will and require you to permit Mons^r De Baas with his three servants, goods and necessaries, to pass from England beyond the seas to France without any your lets, hindrances or molestations.

Given at Whitehall this 8th of June 1654.³⁵

This was nearly the end of the extraordinary mission of Mazarin's envoy, who, whatever his other qualities, had done little to conciliate or terrify the Protector by his swashbuckling tactics or his possible, even probable, connection with the movement to overthrow the revolutionary government. This preliminary and unusually brief pass to Mazarin's envoy was accompanied by further arrests and examinations. On the day it was issued there were fourteen prisoners in the Tower accused of complicity in the plot, nine in St. James's and twenty-seven in Whitehall.³⁶ That night there took place a widespread search for others throughout London and a large number of suspicious characters were taken into custody. The next day, with Cromwell present, the Council ordered the prisoners collected in the Guildhall, the Sessions House in Southwark, the Painted Chamber, and the Mews, with a committee in each place to examine and classify them, hoping to discover among them the men most wanted, especially Major Henshaw and Colonels Finch and Philips. In this the examiners were not successful but the instructions given them indicated the chief sources of the government's anxiety. According to these the accused were to be classified as Irishmen; foreigners; Royalists who had entered England since December, 1653; Papists; persons with no visible means of support; retired Parliamentary officers who could not account for themselves; enemies of the Commonwealth since 1648; and other suspicious persons, of whom a list was to be given to the Protector as soon as possible.³⁷

Meanwhile de Baas had been summoned before the Council on June 9, but Bordeaux wrote his father that Cromwell had made him wait on two occasions and would not see him. On the 12th he was summoned again and interviewed by Cromwell, Thurloe and five members of the Council. That the Protector had no doubt of his connection with the plot seems evident. He produced Naudin's confession and asked de Baas whether "the assassination of his person, the stirring up of the people and the division of the army" which Mazarin's envoy had sought to accom-

³⁵ *Ibid.*, f. 70. Cromwell signed another, fuller safe-conduct for de Baas on June 15. *Ibid.*, ff. 74-5. Two others, for four Danes and another man were signed on June 9, and on June 12 another for a Frenchman. *Ibid.*, ff. 70-1.

³⁶ *Sev. Proc.*, June 1-8, where a list of their names is printed.

³⁷ *Cal. S. P. Dom.* (1654), pp. 204-5.

plish, was approved by his government? To this de Baas responded audaciously that he knew that his Highness had treated with the Spaniards; that he had sent emissaries to France to "debauch" the Huguenots; and like recriminations. The Protector naturally answered that since de Baas held such convictions, he could no longer be received nor suffered to remain in England.³⁸ His passport having already been prepared, Mazarin's envoy was given three days to leave the country. This did not, however, mean a breach with Louis XIV and Mazarin, to whom the Protector wrote presently that in spite of de Baas' machinations, he was still disposed to firm peace and friendship with France. He assured Bordeaux that he would continue conversations with that ambassador, but he urged the punishment of de Baas, though recognizing that the evidence in his case was not sufficient to demand the death penalty. On his part Mazarin was not disposed to punish his emissary, who returned to his regiment, took part in the Franco-Spanish war, and later became governor of Navarre and Bearn.³⁹ It seems apparent from the whole incident that, like Cromwell's despatch of Sexby and Hane to France, the de Baas incident was regarded by both the Protector and the Cardinal as merely an ordinary move in the diplomatic game which considered the stirring up of rebellion and even assassination as more or less commonplace incidents in that game. Meanwhile Cromwell sent what must be regarded as an extraordinary communication to a certain Chevalier de Marcille, possibly in the service of Condé, apparently in reply to some letter of compliment or congratulation. This was possibly related to the plot, but the matter is obscure and the letter curious in the extreme:

To Monsieur le Chevalier de Marcille

I am very sensible of the good wishes of your Prince. Though of royal blood, he knows that sovereigns have their duties, that when they sacrifice the people to their caprices the people have a right to demand an account and set a term to their violences. We have acted against ours in such fashion as may be a useful example to their confreres who may wish to punish us. They have enlisted restless spirits and zealots but my eyes are open to their intrigues and I am not a dupe of the Cardinal. I am well aware that a member of the royal family applauds what we have done. His approval will close the mouths of the others. It is you who will show him a way to dispense justice. I charge . . .⁴⁰ to assure you how well I am satisfied.

Westminster
10 June 1654

OLIVER P.⁴¹

³⁸ Jusserand, *Recueil des Instructions*, "Angleterre," i, 189, from de Baas to Mazarin, June 15/25, R. O. *Transcripts*. Jusserand quotes Cromwell's letter of June 29, which see below.

³⁹ Jusserand, *op. cit.*, i, 189n.

⁴⁰ Blank, probably a name, possibly that of the bearer.

⁴¹ Original in French in the Tangye Collection in the London Museum. See

This curious communication seems to be connected in some way with the relations between Cromwell and the opponents of Louis XIV and Mazarin, who meanwhile were endeavoring to secure the aid or at least the neutrality of the Protector. On May 17/27 Mazarin had written to de Baas instructing him to repeat the assurances of the sincerity of France and the previous suggestions for an attack on Dunkirk or the West Indies or both. He intimated that France would supply a dozen ships if England would send an equal number to seize the Spanish plate fleet which was almost due, adding that if the Protector wished to avoid an open breach with Spain, the whole squadron could carry French colors.⁴² Again on June 7/17, Louis XIV, apparently not yet aware of de Baas' implication in the plot, instructed the two envoys to return if nothing definite had been achieved within eight days, giving his reasons for that decision and making additional suggestions to them.⁴³ By the time his letter arrived, de Baas was in no position to carry on negotiations, but in an audience on June 14⁴⁴ Cromwell made it clear to Bordeaux that he would consider the de Baas incident a purely personal matter, and while de Baas must go, he would continue his conversations with Bordeaux.⁴⁵ The latter, in fact, experienced a certain relief in the removal of his difficult colleague, whom he regarded as an impediment to negotiations, of which, and not without reason in spite of the de Baas incident, he had some hope of success.

What form that would take was not yet evident though it portended fresh hostilities. The preparation and disposition of the English fleet continued to cause much speculation and apprehension among foreign powers, especially in the Mediterranean and not least in the minds of the Spaniards.⁴⁶ On June 5 the Council had ordered six ships to sail for Newfoundland with instructions from the Protector, while fourteen were to be fitted out for a "Western Design," and twenty-four for the Straits, the whole of these preparations to be carried out with the utmost secrecy.⁴⁷ Though the Protector had agreed to the Spanish proposal to lend his assistance in return for a subsidy of £500,000, the Archduke Leopold had reason for his reported pessimism as to Cromwell's inten-

infra, App. II (6). If it were not for the fact that the signature to this extraordinary communication seems genuine, one might doubt its authenticity. The only possible "prince" to which it refers would seem to be Condé, less probably the Prince of Tarente, but in any case the letter seems inexplicable, if it is really genuine.

⁴² *Lettres du Cardinal Mazarin*, vi, 171-2.

⁴³ Letter of Louis XIV, June 7/17, in Guizot, *Cromwell*, ii, 400-402.

⁴⁴ *Sev. Proc.*, June 15.

⁴⁵ Bordeaux to Brienne, June 15/25, in Guizot, *Cromwell*, ii, 362-7.

⁴⁶ *Cal. S. P. Ven.* (1653-4), *passim*; Thurloe, ii, 381.

⁴⁷ *Cal. S. P. Dom.* (1654), pp. 200-201.

tions. The Vatican heard that the Protector was dissatisfied when he learned that the first payment of £100,000 was to be met by borrowing from Spanish subjects in Flanders and wondered how the rest of the money was to be raised.⁴⁸ The rumor in the Hague that Cromwell had granted letters of reprisal against Spaniards did nothing to lessen the uneasiness of Spain,⁴⁹ and other circumstances increased the fears of that power that he contemplated some design against it. Though Cardenas reported that his request to hire ships from England was being considered by the Protector, with whom he had an audience in the Horse Chamber in Whitehall on June 15,⁵⁰ on the next day Barrière forwarded to Condé Cromwell's request for Dunkirk as a pledge for Calais,⁵¹ and it is probable from these contradictory pieces of evidence that the Protector was playing a highly complicated game. He was, however, apparently, more and more absorbed in plans for an attack on Spain and her possessions, which, evidently, he considered more likely to succeed and more profitable than hostilities with France.

Besides these foreign complications, however, there were matters to be attended to at home. The Protector was present at the Council meetings on June 8 and 9, where, among other business, he approved various Council actions⁵² and ordinances were issued on those days in his name covering a variety of subjects. Among these was the form of indentures between the sheriffs and the electors, as well as the burgesses and inhabitants of boroughs, for persons to serve in Parliament, which two days later was published in the newspapers.⁵³ Besides this there were ordinances for six months' assessment for the army at £120,000 a month for the first three months and £90,000 for the second three months; for enabling the judges of the northern circuit to hold assizes at Durham; for further doubling of two thousand pounds on church lands; and for the relief of creditors and poor prisoners.⁵⁴ At the same time Embree and Waterhouse were ordered to investigate various

⁴⁸ Gardiner, *Comm. and Prot.*, iii, 153-4, from Vatican Archives and *Chantilly Transcripts*.

⁴⁹ Intelligence, May 26/June 5, Thurloe, ii, 319.

⁵⁰ Gardiner, *ut supra*, from Cardenas' despatches, June 19/29, June 26/July 6, *Simancas MSS.*, 2083; *Sev. Proc.*, June 15. *Merc. Pol.*, June 15-22, says that the audience was on June 17. That day the Council was petitioned to compel Cardenas to pay several years' back rent — some £3,000 — for his house which had belonged to the Marquis of Winchester. Thurloe, ii, 267.

⁵¹ Letter June 16/26 quoted from *Chantilly MSS.* in Gardiner, *Comm. and Prot.*, iii, 154.

⁵² *Cal. S. P. Dom.* (1654), pp. 202, 206.

⁵³ *Coll. of Proclamations* (1654), pp. 359-62; *Perf. Diurn.*, June 10; *Merc. Pol.*, June 8-15. A copy of the writ issued by the Protector to the High Sheriff of Leicester, said to be dated June 1, 1654, is cal. in *Hist. MSS. Comm. Rept.* 8, App. p. 354a (*Leicester MSS.*).

⁵⁴ *Coll. of Proclamations* (1654), pp. 365 ff.

claims to privileges at Hampton Court which had been granted by the late King,⁵⁵ obviously with a view to the transfer of the Protectoral establishment, or part of it, to that royal residence. To crown all, June 13 saw the issue of an ordinance for a new High Court of Justice. All these matters indicate that the new government was getting under way. The new system of representation called for a radical alteration in the distribution of members and was regarded as a wise move by many persons, even by some who, like Clarendon, were opposed to the revolutionary government, though, like him, they regretted it was made at such a time and under such circumstances.⁵⁶ The great appropriations for the armed services were, in effect, the price of the revolution, as were the confiscations of the lands of church and crown and their supporters, all of which were represented in these new ordinances. It remained to be seen what would be the result of that revolution on the representative system, now about to be profoundly altered.

The Long Parliament had included 90 county members, four from the universities and 398 from the boroughs. The new assembly was to consist of 400 representatives from England and Wales, of whom 265 were to be returned from the counties, two from the universities, and 133 from the boroughs. To these were added sixty men from Scotland and Ireland, so that for the first time there was to be a united Parliament of Great Britain and Ireland, and Scotland was to lose what independence it had enjoyed. Whatever the advisability of such a redistribution of representation from the standpoint of political justice and administrative efficiency, it seems fairly obvious that the increase of county representation, like the inclusion of Scotland and Ireland, might well work to the advantage of the revolutionary party in more ways than one. It obviated the necessity of controlling many different constituencies which had returned members under the old system. Under the terms of the *Instrument of Government* not only were all Royalists debarred from any share in either election or representation, but the lists of those chosen were subject to revision by the Council. These circumstances together with control of the Scottish and Irish representatives could be counted on to give the new government a majority in whatever assembly might be chosen while the authority of the Protector with more power than any sovereign had possessed, and with an army such as no preceding ruler

⁵⁵ *Cal. S. P. Dom.* (1654), p. 203. On the 13th the Council voted to pay the bill of Cromwell's upholsterer, Francis Downham, on Waterhouse's certificate. *Ibid.*, p. 208.

⁵⁶ Clarendon, *History*, xiv, 43. It was at this moment (June 10) there appeared the attack of the Fifth Monarchist, John Rogers, *Mene, tekel, perez . . .* as a retort to the search of his house and the seizure of his papers, and which, followed by a sermon against the government, presently led to his arrest.

had ever seen, much less commanded, assured the dominance of the Protectoral system at least so long as Cromwell was at its head.

None the less the deep dissatisfaction with it remained and even while the new system was being shaped, its head and his advisers were busy pursuing the business of ferreting out the recent plot. Whether or not it was related to the departure of de Baas and his entourage, on June 12 Cromwell signed a pass for a Frenchman, Symon Cyrott, to go home.⁵⁷ On the next day the Council appointed a committee to consider what was to be done in the now frequent cases of the issuance of writs of *habeas corpus* for the release of prisoners committed by its order or that of the Protector, and at the same time the ordinance for the establishment of the new High Court of Justice of thirty-four persons was approved by the Protector.⁵⁸ With such provisions the government made ready for the prosecution of the plotters and meanwhile every effort was made to protect Cromwell's person.⁵⁹ It was said that he seemed panic-stricken with fear, and slept behind six locked doors with guards in the intervening rooms. So watchful were his attendants that when a certain Mr. Harrington, happening to be in St. James's Park when Cromwell was taking his usual walk there, withdrew behind a tree to avoid being seen, he was seized and searched for arms. Even the wives of the Dutch ambassadors were notified that a request to visit the Protectress would be granted, but though they would be welcome, they were to bring no male attendants with them.⁶⁰ On the other hand the Protector himself seems to have been accessible and one of his constant visitors was the Queen-dowager's chancellor, the scientist, man-of-letters, knight-errant and ardent Catholic, Sir Kenelm Digby,⁶¹ who, it was charged by his enemies, was in too close touch with Cromwell to be faithful to the King, though it is more probable that Digby was endeavoring to gain toleration for Catholics.

On the other hand every effort was made to ferret out all who were suspected of any connection with the plot, however humble. Information that one Thomas Wilkes and a Pansey Brograve had spoken against the Protector led to the Council order of June 13 for Serjeant Dendy to arrest Wilkes and bring him before the Council.⁶² On that same day the Protector signed an order to search for arms:

⁵⁷ Rawl. MSS., A328, f. 71.

⁵⁸ Cal. S. P. Dom. (1654), pp. 208-9; Sev. Proc., June 22; Merc. Pol., June 15-22.

⁵⁹ Cal. S. P. Dom. (1654), p. 230.

⁶⁰ Intelligence, Hague, June 12/22, Macray, ii, 376-7. Part of this was told by Sir Walter Vane just arrived in Holland. His pass was dated May 9. Cal. S. P. Dom. (1654), p. 435.

⁶¹ Paulucci to Sagredo, June 22/July 2, Cal. S. P. Ven. (1653-4), p. 230. Cp. also Dict. Nat. Biog., "Digby."

⁶² Cal. S. P. Dom. (1654), pp. 208, 437.

To Captain John Grymes

OLIVER P.

Whereas we are informed that certain arms and ammunition are deposited in the Houses of . . . within the city of London: These are to require and authorize you forthwith to repair to the said houses and make diligent search for the armes and ammunition aforesaid, and all such as you shall find there you are to seize and secure and to give an account thereof to us to the end some order may be given for the disposing of them. And for the better execution of the premisses you are impowered to break open any locks or bolts within the said houses. And all constables and other officers, both civil and Military, are required to be aiding and assisting to you herein. And for so doing this shall be your warrant.

Given at Whitehall this 13th of June 1654.⁶³

Rumor no doubt greatly magnified the danger from the plot and the numbers engaged in it. The reports of the number of arrests varied from five hundred to two thousand but many were released including nearly all the Frenchmen, though Paulucci reported that Cromwell believed Mazarin was directing the plot.⁶⁴ On the other hand, Aubrey de Vere, Earl of Oxford, and a George Porter, who had served with Goring, were committed to the Tower on June 13, apparently on account of the plot but ostensibly to prevent a duel between them.⁶⁵ Five days earlier a certain John Willoughby, who had been sent to the Tower on the same grounds, had signed a statement expressing his regret at having challenged Sir William Farmer which was presently published,⁶⁶ possibly to quiet suspicions that such commitments were mere excuses for more serious charges. In any event an ordinance against duelling was issued on June 29 and these arrests were to that extent legalized.

Amid these events, apart from a pass for the Earl of Portland's servant to go to France, which the Protector signed on June 13,⁶⁷ there were two other documents from his pen at this moment which were of more than ordinary interest and which brought him into contact with more than ordinary men. The first was a grant of copyright which he issued in favor of the son of the most famous map-maker of his time, Willem Janszon Blaeu:

Copyright

OLIVER P.

Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland and the Dominions thereto belonging, to all and singular whom it

⁶³ Rawl. MSS., A328, f. 72.

⁶⁴ Hist. MSS. Comm. Repts., Egmont MSS., i, 542; Paulucci to Sagredo, June 16/26, Cal. S. P. Ven. (1653-4), p. 227. See also Paulucci to Morosini, June 16/26, R. O. Trans.

⁶⁵ Cal. S. P. Dom. (1654), p. 437.

⁶⁶ Merc. Pol., July 27-Aug. 3.

⁶⁷ Rawl. MSS., A328, f. 71.

may concern, Greeting: Whereas John Janson Bleau, printer at Amsterdam, hath at his great charge and expense caused the whole maps of Scotland and Ireland to be engraven, and imprinted for public use: Therefore We do by advice of our Council hereby expressly discharge and inhibit all persons whatsoever within this Commonwealth or the Dominions thereto belonging (other than the said John Janson Bleau and his assigns, or with his or their lean and license) That none of them shall take upon them to imprint the said maps or expose to sale any of them within the space of fourteen years from and after the date hereof, under the penalty of £500 sterling besides the confiscation of all such books (containing the maps aforesaid) to the use of the said John Janson his heirs and assigns as shall be imprinted, or exposed to sale contrary to these presents.

Given at Whitehall this 14th day of June 1654.⁶⁸

The other document was a pass for an even more distinguished man, the famous Raimond di Montecuculi, lieutenant-general of horse to his Imperial majesty, the Holy Roman Emperor, and of even more note thereafter. He had been sent to Sweden as ambassador, some said to make a treaty with Queen Christina, though others declared it was to arrange a marriage between her and the Archduke Ferdinand, King of the Romans and heir-apparent to the imperial throne. There Montecuculi had met Whitelocke who found him full of curiosity about England.⁶⁹ If he came at this time, however, it was in a private capacity and without a retinue, though later in the year it is certain he was in England and was entertained at Whitehall.⁷⁰

To the Governors etc.

OLIVER P.

These are to will and require you to permit and suffer Mons^r Raymund Montecuccoli von Modena, with his servant Wolfgang Haflinger and their necessaries to pass to Dunkirk in Flanders without any your lets, hindrances or molestations.

Given at Whitehall this 14th day of June 1654.⁷¹

On the day following, June 15, while Bordeaux was sending home a long report of the de Baas incident, the Protector issued two more passes which, in a sense, brought de Baas' mission to an end. One was for a servant of "his Excellency the Lord Ambassador from France" to pass to France "with a packet of letters," among them doubtless Bordeaux's report. The other was for a M. de la Varenne and his family to return to France.⁷² The next day came one in full form for de Baas himself:

⁶⁸ *Ibid.*, ff. 73-74.

⁶⁹ Whitelocke, *Swedish Embassy*, i, 420, 433-4, 437-9, 481-5.

⁷⁰ He left Vienna for Antwerp on Sept. 27, O. S. His pass was dated Oct. 13 and on Oct. 23 he was in Whitehall. Thurloe, ii, 654, 665, 675; *Verbael*, p. 628.

⁷¹ *Rawl. MSS.*, A328, f. 80.

⁷² *Ibid.*, ff. 72-3. Bordeaux's report is in Guizot, *Cromwell*, ii, 362-7.

To the Governors or other chief officers of the several ports
OLIVER P.

Whereas Mons^r De Baas, Commissioner of the King of France residing here is upon his return home: These are therefore to will and require you to permit and suffer the said Mons^r De Baas without any your hindrances, or molestations to pass from England to France with six servants and his necessary baggage and that in his passage thither (the urgency of his occasion requiring it) you permit him to travel as well on the Lords day as any other day: and that he be transported thither in such ship of this state as lies at Dover, or in the Downs most convenient for the same. And the commander of the said ship is to take care that the said Mons^r De Baas have the best accommodations the ship will afford and to use him with respect, and this service being performed, the commander of the said ship is to observe his former orders and directions. Of which you are not to fail.

Given at Whitehall this 16th day of June 1654.⁷³

On that same day the Protector signed four other orders which give us a view of the manifold activities of his administration and incidentally throw some light on the details of the life of his times. The first is an order for the financing of justice in the Isle of Ely:

To the Bailiff of the Liberty of the Isle of Ely

OLIVER P.

These are to authorize you to provide for the diet of the judge, justices and officers at the Assizes for the Isle of Ely from time to time, and to pay the judge's fee, and allowance shall be made out of the profits, fines and amerciaments happening within that jurisdiction for the same.

The 16th of June 1654.⁷⁴

The second is an order for a payment due Joseph Frost for riding post:

To Mr. Gualter Frost

OLIVER P.

These are to will and require you out of such moneys as either are or shall come to your hands for the use of the Council's contingencies, to pay unto your self, Mr. Frances Withered and Mr. Henry Symball, Executors to Mr. Joseph Frost deceased, or to either of them the sum of twenty three pounds being for so much by him disbursed in riding of a post journey by command. Of which you are not to fail, and for so doing this shall be your sufficient warrant.

Given at Whitehall this 16th day of June 1654.⁷⁵

A third document signed that day was a grant to a London merchant, farmer of the excise on salt, whose wealth helped to ease the financial

⁷³ Rawl. MSS., A328, ff. 74-5.

⁷⁴ Ibid., f. 73.

⁷⁵ Ibid., f. 95.

OLIVER CROMWELL

situation of the Commonwealth on several occasions,⁷⁶ of the office of Register to the judges named in the ordinance just passed for the relief of creditors and poor prisoners:

To our trusty and well beloved Edmond Prideaux, Esq., Our Attorney-General

OLIVER P.

Our will and pleasure is that you forthwith prepare for our signature a bill containing our grant unto Martin Noell, Gent. of the office of Register to the Judges, or Commissioners named and appointed in and by a certain ordinance (intituled an ordinance for relief of creditors and poor persons) by us with the advice of our Council made and published the 9th day of June instant. Of all the orders, acts, judgements decrees and proceedings whatsoever of the said judges or commissioners by virtue of the said ordinance or of any other act or ordinance to be hereafter made to that purpose, as also of the office of clerk for drawing, perfecting and registering of all and singular grants, bargains, sales, indentures or writings indented and conveyances whatsoever of whatsoever manors, lands, tenements, hereditaments, goods or chattels which by the said judges or commissioners shall happen at any time hereafter to be made by virtue and in pursuance of the said ordinance or any other act or ordinance to be hereafter made as aforesaid, To hold, exercise and enjoy the said offices unto the said Martin Noell by himself or his sufficient deputy or deputies so long as he the said Martin Noell shall demean himself well therein, together with such wages, fees, rewards and emoluments as are or shall be incident or belonging to the said offices or either of them. And for so doing this shall be your warrant.

Given at Whitehall the sixteenth day of June 1654.⁷⁷

Finally on the 16th there was issued a further order for the apprehension of Jesuits:

To William Bury and Edward Rice

OLIVER P.

These are to require and authorize you to apprehend all such persons whom you know to be Jesuits or nuns and them forthwith to bring before the Council at Whitehall, wherein all constables and other officers are to be assisting to you.

Given at Whitehall this 16th day of June, 1654.⁷⁸

Besides these lesser matters to which he gave his attention on this busy 16th of June, 1654, and of far wider importance, was a letter to the province of Zealand of that date. It was intended as both a promise and a threat to the party opposed to including the Article of Exclusion of the House of Orange in the treaty between England and the United Prov-

⁷⁶ *Cal. S. P. Dom.* (1654), pp. 258, 393, 593.

⁷⁷ *Rawl. MSS.*, A328, f. 84.

⁷⁸ *Ibid.*, f. 81.

inces. It was the final incident of the complicated and tortuous negotiations in which the Protector and the Pensionary had been engaged in an endeavor to combine peace and the elimination of their mutual enemy, and behind it lay a long series of maneuvers looking to that end. The secret article for the exclusion of the Prince of Orange from command in the United Provinces which Cromwell had demanded as the price of signing the treaty, had been delivered to him early in June.⁷⁹ Despite the assertion of the Dutch ambassadors that they had agreed to the Article of Exclusion solely on the ground that peace could not be had without it and that the Spanish ambassador was apparently on the point of persuading Cromwell not to come to an agreement with the Netherlands,⁸⁰ some of the provinces, especially Zealand and Friesland, were bitterly opposed to the measure. Several provincial assemblies had even drawn up reasons for declaring all secret negotiations between Cromwell and de Witt null and void⁸¹ and the States General of the United Provinces had endeavored to prevent the delivery of the Article to the Protector.⁸² It was even reported that five or six Hollanders, rather than the Protector, were responsible for the Article.⁸³ On the other hand it was reported to the States of Holland, which strongly favored exclusion, that he had refused to relent despite the most earnest efforts to persuade him to waive the Article.⁸⁴

Under such circumstances de Witt was in a desperate situation and he resorted to desperate measures. He had managed to keep the Article from the States General of the United Provinces, but hearing that it demanded a copy and fearing a definite order from that body prohibiting its delivery, he had contrived to send it to England and persuaded Beverning and Nieupoort that their province of Holland wished it delivered in case the Protector was adamant. They held it for nearly five weeks after the signing of the treaty hoping that the Protector might be induced to relent, but it seems probable that he was well aware of the situation and believed that he needed only firmness and patience to have his way. Meanwhile de Witt was more and more uneasy and hard-pressed. Several provinces announced their intention of sending to the ambassadors for a copy of their instructions from Holland, but the Pensionary persuaded them to wait until he could report the matter to the States of Holland and meanwhile hurried off a letter to the post, which was just closing, expressing to the Dutch envoys in England the

⁷⁹ Thurloe to Pell, June 10, in Vaughan, *Cromwell*, i, 11.

⁸⁰ Intelligence, Hague, June 16/26, Thurloe, ii, 375.

⁸¹ *Ibid.*, pp. 365-70, 438, 487-8.

⁸² Mowat to Clarke, June 8/18, *ibid.*, p. 359.

⁸³ Intelligence, May 26/June 5, *ibid.*, p. 317.

⁸⁴ Resolutions, May 25/June 4, *ibid.*, p. 316. About this time Holland and West Friesland wrote Cromwell in regard to the Queen of Bohemia, May 24/June 3, *ibid.*, p. 315.

hope that the order would reach them too late.⁸⁵ At midnight he secured and sent to them an order from the States of Holland either to obtain from Cromwell a renunciation of his demand or to deliver the Article to him at once.⁸⁶ On the next day, unable to prevent the order of the States General from being sent to the envoys in England, he turned to the last of his schemes to ensure the success of the treaty. Inducing the States General to send their order in cipher, he wrote a covering letter to accompany it, reiterating his former orders, with the idea that while the States General's order was being deciphered, the ambassadors would have time to deliver the Article to the Protector — which is what happened.⁸⁷ Thus by such extremely devious means the Pensionary outwitted his opponents, secured the signature of the treaty of peace, including the secret Article of Exclusion, and, as he conceived it, saved his country from continuance of war and his party from Orange ascendancy, though at the expense of his own good name for fair dealing.

This naturally worked to the advantage of the Protector, who was more than ready to exploit that advantage to the full, but equally prepared to conciliate his enemies if possible, once the victory had been won. Beverning was later informed of the arguments and resolutions against the Article, especially those of Zealand. These were apparently communicated to the Protector in some form and it was in reply to them that he wrote to that province in a strain of firm but friendly remonstrance at any attempt to prevent the acceptance of the treaty, urging that such a course would only serve to reopen the war and perhaps uproot Protestantism from both countries:

Oliver, Protector of the Commonwealth of England, Scotland, Ireland, etc., to the High and Potent States of Zealand, our good friends and allies, greeting and the prosperous state of affairs:

High and Potent Lords, good Friends and Allies:

Your Provincial Assembly being in session, as we have just now learned, we, inspired with a Christian and pacific disposition, seriously reflecting how much Christian blood has been given and shed in the past war, and how much more blood must still be shed with war (may God avert it!) once more breaking out, judged it to be our Christian duty by these presents to set forth amicably and sincerely to your Lordships (as our nearest neighbors together with the Dutch, and attached to us by many ties of friendship through the mutual exercise of trade), that nothing is more pressing or important to us, above all other things, than the aforementioned alliance,

⁸⁵ Geddes, *De Witt*, p. 425, from de Witt to Beverning and Nieuport, May 25/June 5.

⁸⁶ *Ibid.*, pp. 425-6, from Resolutions, June 5.

⁸⁷ *Ibid.*, pp. 426-9, from Beverning's letters to de Witt of June 2/12, June 17/27.

provided that the special precaution and security for it be not weakened, rescinded or broken. We decided that it should not only be urged with greater eagerness and zeal by us but also be commended to your Lordships since we are warned by common report and from many reliable sources besides, not only at the Hague but elsewhere, that some persons there are endeavoring that the sincere intention and purpose of the high and potent Lords States General of Holland in duly cherishing, confirming and establishing the peace made not long since between us and the United Provinces may be dishonored and perverted, whence it is to be feared that every assurance and guarantee (without which we neither should nor could have ever made an agreement) of the compacts agreed upon may be snatched from our hands by one and the same effort, that this stable peace, intended to endure forever (may God bring it to pass!) may be shaken, and finally, if it can be done, altogether annulled and perverted and cause a bloody war to break forth again to the irreparable opprobrium and damage of both Commonwealths, nay, of the whole Christian Commonwealth, and at length (may God the merciful avert it!) to the ruin and extermination of the pure and reformed religion among both peoples and among peoples everywhere. We, however, firmly intend to observe the said treaty religiously and scrupulously, and to cultivate always firm friendship with the high and potent States of the Netherlands and of the separate Provinces, and also especially with your Lordships; doubting not that your Lordships, along with the Lords States General of the other Provinces, in accordance with their singular wisdom, will respond to this our most righteous intention, and will besides, with the said Lord States of Holland, resist the perverse attempts and machinations of those who desire that the public peace and the common established cause of liberty and religion be broken down for their private pleasure and convenience, as well as being subjected and exposed to the mockeries and insults of the common enemies of both. We, indeed, wish to satisfy our conscience, so to speak, by these presents. Accordingly we heartily pray God, the Greatest and Highest, the unique author of peace and concord, that, on the solid foundations of a secure and enduring peace and amity, not only all and individual Provinces of Allied Belgium may cherish peace and friendship with us, but also that the same peace and amity, which have hitherto increased, may grow and enjoy harmony from day to day and as long as possible. To this end we beseech God to consent to inspire Your Lordships with moderate and peaceful designs, and furthermore to deign to render this entire affair of peace from day to day more and more stable and steadfast, above all so that all due honor may be rendered to the divine will, the splendor to His pure worship and the sacrosanct reformed religion which we both profess, the old freedom of the sea and of navigation, and the former activity in reciprocal trade; so that at last the ancient true and fraternal amity, contracted by so many ties of religion, affinity, and trade, may be consolidated for all time between both peoples to the greater glory of God and the increment of the same Religion, and that this ancient liberty of both peoples, and the peace and tranquillity of both Commonwealths, may remain undisturbed both at home and abroad against all artifices of ill-wishers and those undertaking vicious designs, and

against all hostile insults of the enemy. May God the merciful Himself kindly consent to this; to His divine will we commend Your Lordships.

Given from Whitehall, 16 June, old style, 1654.

Your good friend,

OLIVER P.^{ss}

Such was the intricate and devious course of negotiation to exclude the House of Orange from office in the Netherlands. Though Thurloe reported that the Protector's efforts to reconcile the Zealanders to the Article of Exclusion "took well,"⁸⁹ the Zealanders' reply reflected less pleasure than resignation to superior force and the Stuart cause suffered another blow. As the Dutch negotiation came to an end, its conclusion was signified by another series of passports. On June 17 passes were issued for two members of the Dutch embassy staff to return to Holland⁹⁰ and another for seven other Dutch gentlemen to go to France.⁹¹ Besides these the Protector signed passports for Lady Margaret Dormer to go to Flanders;⁹² for James Hayes and John Simpson to go to France;⁹³ and a safe-conduct for the natural son of the Count of Oldenburg to travel in England;⁹⁴ with, finally, an order for the transportation of de Baas, who left for France on that day.⁹⁵

These matters attended to, the Protector turned again to the plot. On that same day another Royalist, Henry Seymour, sometime page

^{ss} Contemporary MS copies in *Algemeen Rijksarchief* at the Hague, St. Gen. 6915; and in the *Riksarkivet* in Stockholm. Original Latin printed in *Epistola D. Olivarii Protectoris Reipublicae Angliae . . . ad Celsos ac Potentes Ordines Zelandiae . . .* (1654); see *infra*, App. II (7). There is also a contemporary copy in the archives of Goes, Zealand, and another in *Brit. Mus. Add. MSS.*, 20,921, f. 120; and one in *Rawl. MSS.*, A261, ff. 9-10. A letter of intelligence, Aug. 11/21 (Thurloe, ii, 535) mentions a letter from Cromwell to Holland which was answered on Aug. 7, but this is probably a mistake for Zealand, whose answer is dated July 28/Aug. 7; the translation of it in *Perf. Diurn.*, Aug. 28, reveals fear of Cromwell but no particular satisfaction with his letter. There were various speculations as to the nature of it. "Some saye 'tis very friendly; others that 'tis menacinge; a third, that the Spanish ambassador hath prevailed with you to write it, supposeinge it maye rather increase that province's enmitie than friendship with Holland." Thurloe, ii, 434; see also *ibid.*, pp. 421, 433. Thurloe wrote to Pell, July 7, 1654, "H. H. wrote a letter to Zealand upon occasion of the differences between the provinces about the secret article to persuade them to peace and union, to prevent the designs of the malignant party; and I hear the letter took very well." Vaughan, *Cromwell*, i, 22-23.

^{so} Letter July 7, Thurloe, i, 22-3.

^{ss} *Rawl. MSS.*, A328, f. 76.

st *Ibid.*, f. 75.

st *Ibid.*, f. 76.

^{ss} *Ibid.*, f. 76. This may possibly have been the Fifth Monarchist preacher, then in custody but released in July.

st *Ibid.*, f. 75.

^{ss} *Ibid.*, ff. 76-7; *Merc. Pol.*, June 15-22.

to Charles I and more recently in England collecting money for Charles II, was apprehended and sent to the Tower.⁹⁶ He had gone to France in March under a passport from the Protector with the understanding that he was to attend to his private affairs and would not see the King.⁹⁷ Though warned that he should stay in Calais and that it would be dangerous for him to see the Protector, he had returned almost at once and requested an audience. His request was granted, with what result Lord Hatton described:

Cromwell asked him what he had done in France, whether he had seene his Maister, and wondred he could thinke to elude by the idle pretexts he gave for his journey and returne. Seamor denied the sight of his Maister; Cromwell told him when and where he saw him and in wat romes and some things that were said, as Seamor doth acknowled[ge]. He persists yet in deniali, whereupon Cromwell raised his threats soe high that Seamor fell as low as his feete and there lay begging for his life in much distraction. He was then by Cromwell and his Secretary examined who else he saw in Paris. Seamount acknowledgeth none but Lo. Hatton; being urged who he saw or mett there, he names Sir E. Hi[de]; asked if Sir E. H. came frequently to Lo. Hatton, he says I (*sc. aye*); asked what talke passed, he sayes Sir E. H. found fault with the meat and such like railleries; asked of the intimacy betwixt Sir E. H. and Lo. Hatton, he sayes there was much; asked what letters or messages Hatton sent by him, he saies none, nor knew he any in Engl[and] that corresponded with Hatton.⁹⁸

Though at the time Hyde denied that Seymour met the King, in later years he wrote that Seymour had been sent to Charles by the Marquis of Hertford and the Earl of Southampton "to be very importunate with the King that he would remove out of France, and to communicate all which they received from persons who were admitted into many of the secret resolutions and purposes of Cromwell." Thus fortified with the supplies Seymour brought to him, promised by Mazarin that his debts would be taken care of and that he should continue to receive his "monthly assignation" from the French crown, Charles II made haste to be gone out of the country.⁹⁹ On his part, Seymour, having been examined, was sent to a colonel's lodgings as a prisoner, where further questions put to him "did much scare him," and, sufficiently terrified, he was sent to the Tower under a charge of high treason, where he remained until the following October.¹⁰⁰

⁹⁶ *Cal. S. P. Dom.* (1654), p. 274.

⁹⁷ Macray, iii, 243 (Hyde to Nicholas, May 19/29): "Mr. Seymour came to France only on private business with a pass from Cromwell and therefore comes not near the King," but see below to the contrary.

⁹⁸ *Nicholas Papers*, ii, 100-1. Seymour is listed in *Sev. Proc.*, June 1-8, as a prisoner in Whitehall.

⁹⁹ Clarendon, *History*, xiv, 82.

¹⁰⁰ *Nicholas Papers*, ii, 100-1; *Rawl. MSS.*, A328, f. 138.

On this same 17th of June the new High Court of Justice assembled for the first time to discuss its plans for future meetings and the procedure to be followed in trying the persons brought before it by the Protector's orders.¹⁰¹ They were already being rounded up for trial and evidence was being collected. On June 19 John Wiseman, half-brother of Major Henshaw, was induced to make a confession which seriously implicated the Islington schoolmaster, Peter Vowell, and further compromised John Gerard. The former, Wiseman testified, had met frequently with him and Henshaw at the house of Dr. Hudson to discuss the conspiracy.¹⁰² But while the net was drawn closer about the conspirators, the object of their design went about his business as usual. On June 18 and 19 the Protector spent much time with a committee appointed to draw up an ordinance to regulate the High Court of Chancery,¹⁰³ which had recently been the subject of attack in the Nominated Parliament. His request that the Earl of Mulgrave be added to the Council of State was granted, and he approved several orders of that body, which voted to ask him for information in regard to the employment of various officers about Whitehall.¹⁰⁴ On the 19th the Protector signed three more passports for foreigners¹⁰⁵ and on the 20th a like document for Lady Brudenell, the wife of a recusant, to go to Holland.¹⁰⁶ On the 21st he conferred the honor of serjeant-at-law on Unton Croke, Bencher of the Inner Temple, and on John Parker, later Baron of the Exchequer.¹⁰⁷ He also approved the ordinance for bringing the public revenues into one treasury, which had long been a cardinal point in his programme of reform as a means to avoid confusion in government accounts and to ensure economy, and issued an ordinance for justices of assize for Lancashire.¹⁰⁸ The next day he approved fourteen more Council orders;¹⁰⁹ on June 22 he signed a pass for a John Greene to go to France, and on the 23rd like passes for Richard Gorges, son of Lord Gorges; and for M. Stephen Rocca and his son.¹¹⁰

¹⁰¹ *Sev. Proc.*, June 17. They met again June 20. *Ibid.*, June 20.

¹⁰² According to *England's . . . establishment . . . or the Norman Yoke* (1648) Dr. Hudson was a "great Royalist." See also Thurloe, ii, 384, for the examination.

¹⁰³ *Merc. Pol.*, June 15-22.

¹⁰⁴ *Cal. S. P. Dom.* (1654), pp. 214-5.

¹⁰⁵ *Rawl. MSS.*, A328, f. 77.

¹⁰⁶ *Ibid.*, A328, f. 78. The original, countersigned by several officers, was listed in the *Amer. Art. Ass'n. cat.*, Mar. 18, 1925, item 147, from the library of O. K. Brooks.

¹⁰⁷ *Parl. Hist.*, xxi, 222.

¹⁰⁸ Pr. in *Merc. Pol.*, June 21; *Perf. Diurn.*, June 21; *Cal. S. P. Dom.* (1654), pp. 215-6; *Coll. of Proclamations* (1654), pp. 393-8, 401-2.

¹⁰⁹ *Cal. S. P. Dom.* (1654), p. 218.

¹¹⁰ *Rawl. MSS.*, A328, ff. 78, 80.

Meanwhile on June 22 the Protector gave an audience to Bordeaux,¹¹¹ who on the preceding days had been conferring with members of the Council. They had apparently assured the ambassador that the English army needed employment and since it was impossible to tax the people further, the Protector would doubtless ally himself with Spain if France could not make a more satisfactory offer. Under such circumstances the interview between Cromwell and Bordeaux was naturally more or less stormy, especially in view of the concurrent negotiations which the Protector was carrying on with the Spaniards. The French ambassador was assured of the submission of Scotland and Ireland except for a few inconsiderable elements, and Cromwell insisted that the proposals of the English commissioners be accepted. Those proposals involved that, pending the capture of Dunkirk, a French port, presumably Brest, be put in English hands as security for the English claims against France, if war against Spain were to be popular in England. When Bordeaux refused to entertain such a proposal, the Protector asked what else he had to propose, and failing any alternative suggestion, ended the interview.¹¹² The Venetian envoy reported that Cromwell was much incensed against Mazarin, believing that the Cardinal had offered 200,000 livres reward for Cromwell's assassination;¹¹³ and Thurloe's Paris intelligence added that it was Mazarin's influence which kept Charles II there, despite the Cardinal's efforts to deceive Cromwell.¹¹⁴

That last report, apparently, was untrue, but it is evident that this struggle among the powers was a rough and tumble contest, in the words of the prize ring, with no holds barred, no fouls called, and no referee to enforce any rules of fair fighting. For such a contest, as for such a trial of strength as he had just conducted with de Witt, Cromwell was eminently fitted by long experience, and in this instance he had one great advantage. France and Spain, engaged in war with each other, were equally unwilling to take on another antagonist and equally anxious to bring such an ally as Cromwell to their side. He was willing and able to fight; he needed the money and the prestige which a successful war would bring, and, no less than Mazarin, de Witt or the Spaniards, he was unhampered by any scruples in this game of "power politics," in which it was every man for himself and the devil take the hindmost. On the other hand he was the more anxious as to the outcome of these negotiations in that, despite the easing of trade conditions as the result of the Dutch peace, times were hard. If that peace had released English shipping from

¹¹¹ *Sev. Proc.*, June 22; Paulucci to Sagredo, June 22/July 2, *Cal. S. P. Ven.* (1653-4), pp. 231-2.

¹¹² Bordeaux to Brienne, June 22/July 2, in Gardiner, *Comm. and Prot.*, iii, 156; Dutch Ambassador to Ruytsch, June 23/July 3, Thurloe, ii, 395.

¹¹³ Paulucci to Sagredo, June 22/July 2, *Cal. S. P. Ven.* (1653-4), pp. 231-2.

¹¹⁴ Thurloe, ii, 398.

danger of attack, it had also given even more opportunity for its Dutch rivals. Nor was the condition of the English farmer better than that of the trader. Not only had crops been bad, but it was reported that prices, so far from having risen, were so far down that wheat had dropped from three to two shillings a bushel.¹¹⁵ Protests against the situation were coming in even from the army;¹¹⁶ and the only way to recover even moderate prosperity and to quiet the country seemed to be by a foreign subsidy and a successful adventure overseas.

In consequence, while the Protector clung to his idea of the strengthening of Protestantism abroad, his chief motive was the establishment of more favorable economic and political conditions for which an increase in foreign and colonial trade seemed essential. While he and his Council considered sympathetically a letter from the Polish Baron Sadowsky in regard to the oppressed Protestants in Poland,¹¹⁷ for whose benefit there were to be collected subscriptions in England, the Council pushed through a treaty with Portugal which it was hoped would be of advantage to English merchants and be welcomed by them.¹¹⁸ Meanwhile they looked with longing eyes on the wealth of the Spanish West Indies, to which their attention had earlier been called by one Thomas Gage. Sometime a Dominican friar, he had lived and traveled widely in Spanish America, returned to England, renounced his religion, married, denounced some Roman Catholics who were condemned to death, taken the side of Parliament, and been rewarded with an English living. Some five or six years earlier he had published *The English American . . . or a new Survey of the West Indies*, in which he had pointed out the wealth and weakness of Spanish power there. Enormously popular, Gage's book was reprinted again and again for the next sixty years and translated into other languages. It was now on its way to its second edition and did much to influence English opinion, not least Cromwell's, before whom, it is said, Gage laid a plan for an attack on the Spanish possessions.¹¹⁹ This was reinforced by the advice of Sir Thomas Modyford, a kinsman of Monk and later governor of Jamaica and a patron of the buccaneers, who had been removed from his command in Barbados by Ayscue but restored by Cromwell in January, 1654. The story of the advice given the Protector by Gage and Modyford is not improbable, but it is scarcely needed to account for the Protector's interest in the possibility of gaining territory,

¹¹⁵ Newsletter, June 23, Macray, ii, 379.

¹¹⁶ In a lengthy letter of 25 pages on June 24, an officer protested to Cromwell against the government. *Hist. MSS. Comm. Rept.* 12, App. pt. VI (*Fitzherbert MSS.*), p. 3.

¹¹⁷ The brother of the Polish agent in London. The letter, dated June 23/July 3 is in Thurloe, ii, 441-2.

¹¹⁸ Approved by the Council on June 23. *Cal. S. P. Dom.* (1654), p. 218.

¹¹⁹ Burnet, *History of my own Times*, i, 137 (f. 74); Edw. Long, *Hist. of Jamaica* (1774), i, 221.

wealth and commerce in that quarter. The whole world knew of Spain's weakness and it entertained great, if exaggerated, ideas of the revenue she derived from her American possessions. Some enterprise there had even been urged on Cromwell by New Englanders. None the less the reappearance of Gage's book at this time, and the fact that he was presently appointed chaplain of the English expedition which was fitted out for an attack on Hispaniola, suggest that he had more connection with the design — and perhaps with the Protector — than the mere reprinting of his volume might indicate.

These were not the only measures taken by the Protector and his advisers to strengthen their position and that of their country. Besides ordinances for regulating London hackney coachmen and extending the time for approving public preachers, on June 23 they published an ordinance designed to increase English trade and influence in Ireland. Described as a measure for the "further encouragement of Adventurers for lands in Ireland," it promised a definite graduated tax until 1659, when the rate would become the same as that in England; liberty to import cattle and goods duty free for seven years; and other concessions to Ireland designed to improve its economic condition — and that of the Adventurers.¹²⁰ It met in part at least the complaint of the Commissioners in Ireland that with the country devastated by war and rebellion, the prohibition of importation of timber by the Dutch and the prohibitive prices of English timber rebuilding had been made impossible,¹²¹ and it offered at least a reasonable hope of more stable and secure conditions for the people in general. In this the Protector interested himself, and while Lambert at this moment was urging on him the passage of an ordinance for settling a definite source of revenue for his family,¹²² he turned to another source of profit for his countrymen. This was the revival of trade with Russia to improve the business of the Muscovy Company in whose hands lay the bulk of trade with that country. The "merchants trading to Russia" had requested the despatch of an agent to restore and settle commerce between the two countries according to ancient privilege. The Council had approved of the suggestion; a certain William Prideaux had been offered and had accepted the mission; and credentials were drawn up for him, approved and signed by Cromwell on June 23.¹²³ At the same time there was issued by the Protector a safe-conduct for the subjects of Oldenburg:

¹²⁰ Firth and Rait, ii, 924; cp. *Coll. of Proclamations* (1654), pp. 405–6, 409–21. On June 23 the Protector ordered a land grant for V. Gookin, still unfulfilled in June (19), 1655, cp. his letter to Fleetwood quot. in *Eng. Hist. Rev.*, xiv (Oct., 1899), p. 734 as either of 1654 or 1655.

¹²¹ Thurloe, ii, 404.

¹²² *Cal. S. P. Dom.* (1654), p. 217.

¹²³ Draft as presented by Cooper to the Council, read and approved. *Cal. S. P. Dom.* (1654), pp. 202–3; cp. *Sev. Proc.*, June 28, 1654.

Confirmation of Letters of Safeconduct for Oldenburg

Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, etc. to all and every Our Admirals, Generals, Generals-at-Sea, Commanders, Colonels, Captains, and also all Our Ambassadors, Residents, Deputies, and Public Ministers, and all others whomever it may concern: by these presents We signify that, since the Parliament of the English Commonwealth did in solemn form three years ago grant to the Most Illustrious Lord, Count of Oldenburg, a diploma of neutrality, exemption, and safeguard, issued at Westminster on the seventeenth of February, in the year sixteen hundred fifty-one, and the same Most Illustrious Count through his deputies and ministers, Friederic M[athias] W[olisog] and Christopher Grifp[iander], has recently begged Us to deign to confirm, ratify and, by Our authority, a second time to support the said diploma, We, giving ear to his fair demands, have confirmed, ratified and held as valid and fixed the aforesaid *diploma* in all its clauses, articles, and sections, as also by virtue of these presents We do confirm, ratify, and hold it valid and fixed.

Therefore, We instruct you firmly and expressly that no one of you shall presume to contravene the said safeguard of the diploma in any respect or prevent the above-mentioned Count and his subjects, whoever they be, from using and enjoying all the exemptions, rights, privileges, or benefits included in the same, fully and securely, but that you inviolably and effectively grant and observe the same safeguard in all matters, according to the content and tenor thereof. And this under penalty of Our displeasure. For the good faith and surety of which We have signed these Our letters patent with Our own hand and have caused to be affixed thereto the Great Seal of England. Given from Whitehall at Westminster, on the twenty-third of June, in the year sixteen hundred fifty-four.

Husey,

OLIVER P.¹²⁴

This was followed by various other matters of business, which, though of a routine nature, harked back to events earlier in Cromwell's career. The first was an order to the Attorney-General to draw up a grant of the office of Comptroller of the Customs of the port of London, formerly held by Henry Seymour, to Cromwell's old colleague from Cambridge in the Long Parliament, John Lowry.¹²⁵ The second document, signed on June 26, was a pass for one of the old Scottish "Engagers," William, Lord Cranstoun, who, having been pardoned by the General Assembly, had been a member of the Committee of Estates. He was the son-in-law of the Earl of Leven, had been captured after Worcester, and sent under guard to Edinburgh, whence he had been released on parole. His con-

¹²⁴ A contemporary copy of the Latin original is in the Oldenburgisches Landsarchiv Tit. 38, nr. 83, in Oldenburg, Germany. See App. II (8). George Hussey was a clerk employed by the Council. See July 7 for a letter of safe-conduct for Anhalt.

¹²⁵ Rawl. MSS., A328, f. 81. There was apparently some question as to this appointment, as there is a "vacat." notation in the margin.

duct gained the favorable attention of Colonel Lilburne, who had recommended him to Lambert in February, and on April 7 had written to Cromwell in his behalf.¹²⁶ His mission at this time is not known, but as Leven was presently reported on his way to Sweden and as Cranstoun was given permission in 1655 to raise a regiment for Swedish service, it probably had to do with the Protector's policy of eliminating possibly dangerous elements from both Scotland and Ireland by transportation or the recruiting of soldiers from those regions for service of countries not likely to use them against England. Two days later the Protector signed a pass for the Marquis de Cugnac and fifteen others, presumably of de Baas' retinue, and so relieved himself of another element of danger.¹²⁷

Meanwhile the Council had gathered what it believed sufficient evidence to bring before the High Court of Justice three men of the many accused of the conspiracy in which de Baas was suspected of being implicated.¹²⁸ Whether or not these particular men were the chief agents of that design — which seems improbable — they were unfortunate enough to be selected as examples whose fate would be a warning to other possible conspirators, for that fate could hardly be in doubt.¹²⁹ The order for their trial was printed in the newsbooks on June 27 with a notice that an ordinance prescribing the rules for the management of Parliamentary elections, the distribution of seats in Scotland and Ireland, and the form of writs had been passed.¹³⁰ To further secure its position, on the next day the Council ordered the Protector's regiment to be increased from 700 to 1200 men and those of Goffe, Ingoldsby and Lambert to 1000 each.¹³¹ Since the discovery of the conspiracy, the horse of Goffe and Lambert had been brought to London, and these with other forces in the capital provided, it was estimated, a garrison of some 10,000 troops.¹³²

But these were not all the steps which the government took to inspire not only respect but fear in the minds of its opponents both at home and abroad. The frigates which had been outfitting in the Thames and the admirals who had been in secret conference with the Protector were at sea again. Though it was reported that the government owed the navy £400,000 and there was no money to pay it, the Protector had ordered

¹²⁶ Pr. in Firth, *Scotland and the Protectorate*, p. 80. Passport in Rawl. MSS., A328, f. 83.

¹²⁷ See C's letters of July 9 and Oct. 12, 1655 to Major Elton and Gen. Monk.

¹²⁸ *Cal. S. P. Dom.* (1654), p. 210.

¹²⁹ *Sev. Proc.*, June 27; *Merc. Pol.*, June 22-29.

¹³⁰ *Ibid.*; *Perf. Diurn.*, June 27; Gardiner, *Const. Docs.*, pp. 329, 332 (ordinances for elections in Scotland and Ireland); *Cal. S. P. Dom.* (1654), pp. 220, 224; Dunlop, *Ireland under the Commonwealth*, ii, 433, cal. of letter of June 29 transmitting the writs. See also *Coll. of Proclamations* (1654), pp. 431-5, 439-42.

¹³¹ *Cal. S. P. Dom.* (1654), p. 225.

¹³² *Cal. S. P. Ven.* (1653-4), p. 228.

two thousand gold medals struck for distribution to the seamen who had distinguished themselves in the Dutch war and, money or no money, the fleet was ready to go. Its destination was unknown and the wildest rumors of its objective came from every direction. Continental, especially Mediterranean, powers were deeply disturbed and eager for its assistance. It was reported that it was destined for Gibraltar where Turkish pirates were growing bolder and French privateers becoming a menace to Dutch and English alike.¹³³ The Genoese begged for help against Spain,¹³⁴ and their envoy, Bernardi, had complained of the tyrannical proceedings of the viceroy of Naples against his countrymen.¹³⁵ The Venetian Senate had hastened to congratulate the Protector on the Dutch peace¹³⁶ and the Florentines had kept an anxious eye on both the English and the Genoese. The Duke of Tuscany recalled his galleys from Sicily and ordered all English, French and Dutch residents in his territories disarmed. The people of Leghorn thought that the fleet might join Spain against the Pope, while the Spaniards feared that English reprisals for the treatment of their fleet at Leghorn were not improbable. The English consul at Cadiz, James Wilson, predicted the arrival of thirty English vessels at that port, but Paulucci understood — incorrectly — that the Mediterranean squadron would include only sixteen sail and would be commanded by Badiley and not by Blake.¹³⁷ A few weeks earlier Thurloe's Roman agent had reported he was encouraged to visit the Papal *secretarius de propaganda* to discuss the Protector¹³⁸ and Hyde had noted still earlier a story that Cromwell had sent three persons as unofficial agents to assure the Pope of his good wishes for the Catholics.¹³⁹ Pell advised Thurloe that a Genoese news-sheet had declared that the Protector had promised all possible help to Genoa.¹⁴⁰ From all these stories one thing emerged — it was a general assumption that the English fleet was destined for the Mediterranean and the hopes and fears of the powers in that region of the advent of England into that region were aroused accordingly.

While the Mediterranean powers awaited with foreboding the arrival of his fleet, on June 28 the Protector gave an audience to the Portuguese envoy, the Count of Peneguiaõ, to discuss an additional article for the treaty which was being put in final form.¹⁴¹ The next day he received the two agents from Oldenburg,¹⁴² who, like Colonel Wirtz of Holstein

¹³³ *Ibid.*; Thurloe, ii, 414-5.

¹³⁴ Hyde to Clement, June 2/12, Macray, ii, 370.

¹³⁵ Bernardi to Cromwell, June 13, Thurloe, ii, 371.

¹³⁶ Letter, June 10/20 in *Cal. S. P. Ven.* (1653-4), p. 227.

¹³⁷ Quirini to Doge, and Paulucci to Sagredo, *ibid.*, p. 230.

¹³⁸ Thurloe, ii, 249.

¹³⁹ Macray, ii, 248.

¹⁴⁰ Vaughan, *Cromwell*, i, 33.

¹⁴¹ *Sev. Proc.*, June 28; *Cal. S. P. Dom.* (1654), p. 219.

¹⁴² *Sev. Proc.*, June 28.

and Petersen from the Hanse towns, were delighted by their inclusion in the Anglo-Dutch peace.¹⁴³ To conclude this matter, on the day following the Protector signed two letters to Oldenburg:

*To the most illustrious Anthony Gunther, Count of Oldenburg
and Delmenhorst, Lord of Jehvern and Kniphausen.*

Most Illustrious Lord,

By your letters dated January twenty, sixteen hundred and fifty-four, I have been given to understand that the noble Frederic Matthias Wolizog de Missingdorff, your secretary, and Christopher Griphiander were sent with certain commands from your illustrious Lordship into England; who when they came to us not only congratulated us in your name upon our having taken upon us the government of the English republic but also desired that you and your territories might be comprehended in the peace which we are about to make with the Low Countries, and that we would confirm by our present authority the letters of safe-conduct lately granted your Lordship by the Parliament. Therefore in the first place we return your Lordship our hearty thanks for your friendly congratulations, as it becomes us and these will let you know that we have readily granted your two requests. Nor shall you find us wanting upon any opportunity which may at any time make manifest our affection to your Lordship. And this we are apt to believe you will understand more at large from your agents, whose fidelity and diligence in this affair of yours in our court has been eminently conspicuous. As to what remains, we most heartily wish the blessings of prosperity and peace both upon you and your affairs.

Your illustrious Lordship's most affectionate,

Whitehall, Westminster,
29 June 1654.

OLIVER P.¹⁴⁴

To Anthony Gunther, Count of Oldenburgh

To the most Illustrious Lord, Anthony Gunther, count in Oldenburgh and Delmenhorst, lord in Jehvern and Kniphausen.

MOST ILLUSTRIOS LORD,

We received your letters, dated May the second, from Oldenburgh, most welcome upon more than one account; as well for that they were full of singular civility and goodwill towards us, as because they were delivered by the hand of the most illustrious count Anthony, your belovéd son; which we look upon as so much the greater honour, as not having trusted to report, but with our own eyes, and by our own observation discerned his virtues becoming

¹⁴³ *Verbael*, p. 481; *Thurloe*, ii, 283.

¹⁴⁴ Charles Symmons, *Prose Works of John Milton* (1806), iv, 371; Masson (*Milton*, iv, 635, where this letter is summarized) dates it June 29, 1644 [sic], the same day as another to the Count of Oldenburgh acknowledging his letter of May 2. Original in Oldenburgisches Landsarchiv, Tit. 38, nr. 83. Contemp. copy in *Rawl. Miss.*, A261, f. 5-5v. Latin pr. in Vischer's ed. of Leti's *Cromwell* (1710), ii, 239-40, dated Feb. 7, 1654; also in *Oldenburger Jahrbuch*, xxviii (1924), 96, with date Feb. 7, 1654. Latin and English in Milton, *Works* (Columbia), xiii, no. 44. See also *Verbael*, p. 429.

such an illustrious extraction, his noble manners and inclinations, and lastly, his extraordinary affection toward ourselves. Nor is it to be questioned but he displays to his own people the same fair hopes at home, that he will approve himself the son of a most worthy and most excellent father, whose signal virtue and prudence has all along so managed affairs, that the whole territory of Oldenburgh for many years has enjoyed a profound peace, and all the blessings of tranquillity, in the midst of the raging confusions of war thundering on every side. What reason therefore why we should not value such a friendship, that can so wisely and providentially shun the enmity of all men? Lastly, most illustrious lord, it is for your magnificent present¹⁴⁵ that we return you thanks; but it is of right, and your merits claim, that we are cordially,

Your illustrious lordship's most affectionate,

Whitehall
June 29, 1654.

OLIVER P.¹⁴⁶

These letters which were in answer to the Duke of Oldenburg's despatches of January 20 and May 2 were to be delivered by the young count, who was also supplied with three passes, one to "all Our officers, both civil and military at land and Our admirals and commanders at sea," another to "Our admirals and commanders at sea and the officers of the customs," etc., and the third to "the commanders of any of the ships of war of this state in our port of Dover or in the Downs."¹⁴⁷ To these he added a pass for Colonel (or Captain) Wirtz¹⁴⁸ and a letter to the Duke of Holstein:

Oliver, Lord Protector of the Commonwealth of England, Scotland, Ireland &c. To the most Serene Prince and Lord Frederick, Heir-apparent of Norway, Duke of Schleswig-Holstein, Stormaria and Dithmars, Count of Oldenburgh and Delmenhorst, &c., his greatly beloved friend, Greeting.

Most Serene Prince,

Your ready good-will toward us, which we have realized not only from your letters but from other considerations, we acknowledge with kindly feelings. And furthermore you have entreated of us that your Highness with your Dominions and Territories be included and bound in the recently negotiated Treaty of peace with the States General of the United Provinces. This, in accordance with your reasonable demands, we have readily granted and confirmed. And since your envoy Captain Hermann Wirtz, after the completion of his public mission, which he has carried out among us sagaciously and discreetly, as became a prudent man, having secured the authorization of his departure, is about to set out at an early date, we commend to your highness

¹⁴⁵ The horses which threw him off of the coach-box.

¹⁴⁶ Symmons, *Milton*, iv, 372; contemp. copy in Oldenburgisches Landsarchiv, Tit. 38, nr. 83, and in Rawl. MSS., A 261, f. 5v-6; Latin and English in Milton, *Works* (Columbia), xiii, no. 45.

¹⁴⁷ In Rawl. MSS., A 328, ff. 85-6.

¹⁴⁸ *Ibid.*, f. 90. Petersen obtained his pass on July 27.

this gentleman on his return to you. As to all else, may the most Gracious and Almighty God preserve and protect your highness.

Given from White Hall on the twenty-ninth day of June in the year 1654.

Your good friend,

OLIVER P.¹⁴⁹

Letters dated on the same day were also sent to Louis XIV and Mazarin to explain what was the virtual expulsion of de Baas.¹⁵⁰

To the Most Christian King of the French and Navarre

Most Serene King:

When your Majesty sent to us M. de Bordeaux as your ambassador, and M. de Baas as your commissioner, with powers to restore the ancient amity between England and France, and to conclude a strong and lasting peace, not only did we give them a friendly reception, and discharge towards them all the duties of politeness, but further, seeing that their proposals and our own wishes and efforts tended to a common object, we frequently and willingly granted personal audience to the said envoys; frequently also we conferred with them by intermediaries, on matters relating to their negotiation, with a view to bring it to a satisfactory termination; and after many mutual overtures, we had conceived strong hopes of seeing the whole affair ended agreeably to our wishes. However, while the negotiations were thus rapidly advancing, it came to our knowledge that one of the said envoys, M. de Baas, contrary to our expectation, and contrary to the duties of his office, had not only thrown himself zealously into the society of turbulent and perverse men, who are offended by the peaceful condition of this Commonwealth, but also that he was fomenting evil designs with them, and that he was mixed up in their criminal machinations to cause disturbance in this Commonwealth, in order to overthrow the present constitution, and to plunge us again in murder and bloodshed; an atrocious conspiracy, for which he volunteered to find a patron, and obtain succor, by making unauthorized use of the name of the man who occupies the first place at the court and in the councils of your Majesty; and promising to obtain from him supplies of money for the execution of their designs.

¹⁴⁹ Trans. of copy in *ibid.*, A 261, f. 6-6v, pr. in App. II (9).

¹⁵⁰ The letters are dated June 29 in the copy in *Rawl. MSS.*, A 261, in Guizot's *Cromwell* and in Carlyle. Gardiner dates the letter to Louis XIV June 19/29. Bordeaux's letter (Thurloe, ii, 406) mentioning these letters is dated June 29 N. S. but it mentions the execution of Southworth which was on June 28 O. S. Moreover Mazarin makes no mention to Bordeaux of having received Cromwell's letter until July 12/22 (*Lettres du Cardinal Mazarin*, vi, 232) which seems to indicate that June 29 O. S. is the correct date. According to Paul d'Estrée (*Rev. des Revues*, xxxiii, 222) the letter to Louis XIV is not signed by Cromwell and was sent from the "Republic of England." The original is in the French archives and has not been examined for this text but there seems no doubt but that it was sent by Cromwell; at least two other letters in the French archives, which have been examined, written in the hand of the usual amanuensis, were also sent unsigned. There is no doubt of the authenticity of the letter in any case or of the fact that it was sent and received.

All these facts have been fully brought to light by various proofs, and by the confessions of those who were aware of, and engaged in the plot. When, therefore, M. de Baas was accused of this crime in our presence, and was informed in what way, and from what witnesses, and by what chain of circumstances, we had learned his secret, we judged that public safety required us not to allow further residence in England to a man of so turbulent a spirit, and so dangerous to the tranquillity of our nation. Accordingly, we have appointed him a day after which he must have gone out of this Commonwealth, and we have assigned him one of our ships of war, to convey him across; and we desired that this letter should closely follow him, to acquaint your Majesty with the truth concerning the progress of this affair. Finally, as we are convinced and certain that your Majesty detests this crime in your heart, and that the said De Baas undertook it on his own authority only, and without having received any instructions to that effect from your Majesty, it has seemed advisable to us to assure your Majesty that, in dismissing De Baas, we had no thought or wish to interrupt in any way the negotiations now pending; desiring, on the contrary, in all candor and simplicity of soul, that false interpretations and subjects of evil suspicions may be cast aside; and that a solid and sincere peace be made. To this end, we have deputed commissioners to enter into conference with M. de Bordeaux upon articles so conceived as to serve as grounds and foundations for peace, according to the interest, and with the agreement of both parties; and nothing will be spared on our side that may conduce to the happy termination of this affair. We earnestly commend your Majesty and your dominions to the protection of God.¹⁵¹

Whitehall, June 29, 1654.

This explanation of the expulsion of de Baas was accompanied by a letter to Mazarin, which in view of the circumstances, was not a "wholly insignificant Official Note" as it has been described,¹⁵² but rather, like the letter to Louis XIV, an assurance that de Baas' connection with the plot would not be regarded as due to either the French king or his minister nor allowed to interfere with the relations between France and England. That, in the delicate situation of the negotiations between the Protector, Spain and France, to say nothing of what relations he may have had with Condé and the Huguenots, was of the utmost importance at this moment when so many issues still hung in the balance:

To the Most Eminent Cardinal Mazarin

Most Eminent Cardinal,

In our letter directed to the King we have set forth the causes and the reasons why we have ordered the Lord de Baas to leave this Republic, and we have assured his Majesty that notwithstanding the machinations of the said de Baas, the blame of which we impute to him alone, we shall persist in the

¹⁵¹ Guizot, *Cromwell*, ii, 367-8; Latin in *Rawl. MSS.*, A 261, f. 10v-11, pr. *infra*, App. II (10).

¹⁵² Lomas-Carlyle, App. 28.

same purpose of seeking and obtaining a firm and close peace and friendship with France. And it gives us pleasure on this occasion to renew those former testimonies of our good will to you and your interests, which as occasion serves we shall be ready to prove and make manifest in the future.

Given at Whitehall

[OLIVER P.]¹⁵³

June 29, 1654.

How important it was to smooth out all possible friction between England and France at this moment is further suggested by the fact that on May 22 the Irish Council had written to the Protector to request him to obtain satisfaction from the Spanish ambassador or some other source for the £150,000 owed for the transport of some thousands of Irish who had entered Spanish service.¹⁵⁴ At this very moment, too, the Irish Committee ordered Colonel Phayre to send no more Irishmen to Spain or to Flanders but to transport them instead to the Caribbean where their military strength would be less of a danger to England¹⁵⁵ than if they were sent to Spain or the Low Countries. At the same time the Protector himself wrote to Condé to call his attention to the fact that the money due for the Irish sent to him had not yet been paid to Colonel Phayre and his colleagues, and to request the Prince's consideration of the matter.¹⁵⁶

For His Highness the Prince of Condé

Sir,

There having been transported out of Ireland into Flanders for your service three thousand Irish upon a capitulation made by Peirce Butler Esq, the persons upon whose account they were transferred, to wit Colonel Phair, Major Wallis, Colonel Edmund O'Dwyre, and Mr. Edward Bushell, have requested my letters to your Highness, that the money due unto them for transporting the said soldiers may be paid according to the said capitulation; which being a thing most just in itself, no doubt ought to be made of the performance of your part without any mediation or interposition. But yet I could not omit to answer the desires of the aforesaid persons on this behalf, some of them being in my actual service, and have merited well of me, and the public. And therefore shall esteem your justice, benevolence, and favour towards them a particular obligation upon my self, and shall be ready to make suitable returnes

¹⁵³ Contemp. copy of Latin original in *Rawl. MSS.*, A 261, ff. 11-11v. Original in Archives du Ministère des Affaires Étrangères; cal. in 39th *Rept. Dep. Keeper of Public Records*, App., p. 708. Pr. in Guizot, *Cromwell*, ii, 368-9; *Archæologia*, xxxii, 29; Lomas-Carlyle, App. 28. Mrs. Lomas noted that the signature had been "torn off," but it is possible she had not seen the letter herself but was informed that it lacked a signature.

¹⁵⁴ Thurloe, ii, 308-9.

¹⁵⁵ Dunlop, *Ireland under the Commonwealth*, ii, 433-4.

¹⁵⁶ On June 30 a passport was issued to M. Alexander de Harsy to return to France. *Rawl. MSS.*, A 328, f. 87.

thereof upon all the like occasions. I commend you to the divine protection,
and remain,

Whitehall,
30 June 1654.

Your affectionate friend
to serve you,
OLIVER P.¹⁵⁷

Even in the midst of these greater affairs the Protector found time to approve the righting of an old wrong in this complicated Irish situation. The petition of Lady Magdalen Tyringham for recovery of estates taken out of her family's possession by Parliament in 1642 had been laid aside by the Council of State on May 8 but for some reason was considered again the next day when it was referred to a Committee.¹⁵⁸ As a result, no doubt, of their report, the Protector signed an order for the restitution of her property:

Order for Lady Tyringham

OLIVER P.

Whereas the Lady Tirryngham hath by her petition unto us set forth that the several manors, castles, lordships and towns of Carlingford, Cooley, Oneath, Greene Castle, with the Lordship of Moarne, and the Town and Lordship of Newine and other lands in the province of Ulster in Ireland belonging of right to her and her son Nicholas Bagnall Esq. were delivered into the possession of the late Parliament, and the profits thereof received to their use for paying of the forces in those parts ever since the month of May 1642. And that the same are yet out of her possession and scisin, to her great prejudice, and loss, or else are charged with taxes, assessments, and contributions contrary to the grants thereof made in Henry VIII's time, to her deserving father, and grandfather, Sir Henry and Sir Nicholas Bagnall for the enjoyment of them free of taxes and assessments both in war and peace. We taking her said case into our consideration and holding it most just and equal that the said lady Tyrringham and her son Nicholas Bagnall should be restored to the possession of all such lands as they have a right unto as aforesaid, do hereby appoint and direct that restitution be made thereof accordingly and she and her said son be fully and entirely without any delay settled in the quiet possession of all such lands as aforesaid and permitted by themselves or their assigns quietly to receive the rents and profits thereof, and as free from all taxes contributions and assessments as they ought to enjoy the same by the said several grants or by prescription. And all commanders and officers of the Army, Committees and all others whom it may concern are to take notice hereof, and conform themselves hereunto.

Given at Whitehall this 30th of June 1654.¹⁵⁹

¹⁵⁷ Contemporary copy in *ibid.*, A 261, ff. 8v-9; cp. Cromwell's letter to Philip on July 24 and to Leopold on Aug. 4 on this same subject.

¹⁵⁸ *Cal. S. P. Dom.* (1654), pp. 156, 162. On Apr. 18 a petition of Capt. St. John Broderick to Cromwell for lands in payment of arrears was granted. In it Broderick reminded the Protector that he had previously been recommended "by a letter all in your own hand." *Cal. S. P. Irel.* (1647-60), pp. 530-31, 797.

¹⁵⁹ *Rawl. MSS.*, A 328, ff. 88-89. In the following January Bagnall was im-

Finally on this busy last day of June, the Protector approved an order to Gualter Frost to pay to William Conyers, Serjeant-at-Law, the sum of £76 13/4 for his expenses and those of his assistants, servants and horses as one of the justices of assizes and gaol delivery for Berks, Bedford, Huntingdon, Cambridge, Norfolk and Suffolk for the assizes held there in the preceding February and March.¹⁶⁰ Nor was this the only incident connected with the administration of justice on that day, for the new High Court of Justice met in the Painted Chamber for half an hour of prayer and thence adjourned to the Chancery Court, to make preparations for the trial of those accused of complicity in the plot. This was their third meeting. On June 17, judges Lisle, Atkins, Aske, with Nicholas, Steele and ten others, had assembled in the Middle Temple, where Widdrington was present to administer the oaths preparatory to putting into effect the treason ordinance of the preceding January. Since Atkins and three others refused to take the oath, there was no quorum and officers could not be chosen. After another adjournment to give time for the Attorney-General, Prideaux, to prepare his case, they had met again on June 27, and they were now prepared to organize the court.

At its head as president was John Lisle, who had taken a prominent part in the King's trial, had administered the oath to Cromwell as Protector, and was now a Commissioner of the Great Seal and a member of the Council of State. Its clerk was John Phelps who had occupied the same position at the trial of the King. Serjeant Glyn, Attorney-General Prideaux and Solicitor-General Ellis appeared as counsel for the government, and the proceedings began by a roll-call of the members of the court. Before it were brought the three men selected for trial — Somerset Fox, John Gerard and Peter Vowell — the first of whom pleaded guilty, the others not guilty. Against them were summoned eleven witnesses, most of them relatives or friends of the accused and from their testimony was built up the case against the prisoners. It was summed up by Prideaux and the men were remanded until July 4.¹⁶¹ Whatever question there may have been of their guilt, there was none of their sentence. When the court reassembled, Lisle addressed the accused men declaring his opinion that they were guilty as charged. Nicholas and Steele concurred and the court decided that all three prisoners should be hanged. Again the court adjourned to allow Prideaux and Ellis to draw up the sentence, and on July 6 Lisle reviewed the evidence at length, conclud-

prisoned in St. James's for having a commission from Charles II. *Merc. Pol.*, Jan. 4-11, 1654-5.

¹⁶⁰ Rawl. MSS., A 328, ff. 87-8. Similar payments were ordered for Serjeants Newdigate and Windham on July 6, *ibid.*, ff. 89-90.

¹⁶¹ The witnesses were Wiseman, Dr. Hudson, Robert Dale, John Hipwell, Col. Aldrich, Charles Gerard, John Man, Francis Fox, Capt. Wharton, Thomas Barnes and John Minors.

ing that all others "may take esample by your punishment," after which the court adjourned to the Painted Chamber where all its members signed the warrant for the execution.¹⁶² Fox appealed to Cromwell and saved his life though not his liberty by his confession of guilt; Gerard and Vowell were in due time executed, and, as in the earlier trials, this was no less a political than a judicial process designed as Lisle said to strike terror into the hearts of those opposed to the existing government.¹⁶³

In that, at least, it was successful for the moment and the Protector and Council proceeded with their business of administration undisturbed by the trial or its result. On June 29 there was passed another grist of ordinances, including one against duels and duelling; another to continue the Army Committee and the Treasurers at War; and on the 30th, with Cromwell present, another ordering government officials to suppress drunkenness and swearing among their employees.¹⁶⁴ But these administrative details and even the trial itself were overshadowed by the news which interrupted the customary week-end at Hampton Court on Saturday, July 1, that Whitelocke had returned from Sweden. Even before he went to his own house at Chelsea, the ambassador had gone to Whitehall to report to the Protector, and not finding him there, had sent Captain Blake to Hampton Court to present his respects and receive his orders. Thence Blake returned to report to Whitelocke in Chelsea that "the Protector expressed much joy att the newes of the safe arrivall . . . that he looked upon it as a mercy, and blest God for it, and that he much desired to see Whitelocke; and hoped, on Monday next att Whitehall to have his company." Not content with this he sent two of his gentlemen to welcome Whitelocke home, and on Sunday Strickland was despatched to salute the ambassador again and to assure him of the Protector's desire to see him and entertain him personally.¹⁶⁵

The cordiality of the Protector's welcome was an indication of the importance he had attached to Whitelocke's mission and his satisfaction at its accomplishment. It had, in fact, come at a most opportune time in more ways than one. The Swedish queen, who had contributed so much

¹⁶² Lisle's account of the trial is pr. in *Cal. S. P. Dom.* (1654), pp. 233-40; an abstract of the conspiracy in Thurloe, ii, 416. See also *State Trials*, v, 524-30; *Merc. Pol.*, June 22-29, June 29-July 6; *Perf. Diurn.*, June 30; *Observations Hist. and Polit.*, June 27-July 4; *The Trial of Col. John Gerard*, etc.; *The Triall of Mr. John Gerhard*. The Royalist charge that Gerard was trapped by Cromwell was revived by R. Palgrave in *Eng. Hist. Rev.*, iii (1888), 731 ff. Denied by Firth, Cromwell's personal complicity seems not proven by any direct evidence.

¹⁶³ Cromwell signed a warrant to Frost on June 30 to pay John Pococke, clerk of a council of war empowered to try offenders against the act prohibiting correspondence with Charles Stuart, £10 for his services. *Rawl. MSS.*, A 328, ff. 109-10.

¹⁶⁴ *Cal. S. P. Dom.* (1654), pp. 227, 230; *Merc. Pol.*, June 29-July 6; *Coll. of Proclamations* (1654), pp. 447-59.

¹⁶⁵ Whitelocke, *Swedish Embassy*, ii, 382-5.

to the success of the mission, had made all her preparations to abdicate before the English ambassador concluded his mission. Whitelocke had his last public audience two or three weeks before her formal renunciation of her title in favor of her cousin who ascended the throne as Charles X. On that occasion she had asked him to offer her congratulations to the Protector and expressed the hope that though she was giving up her throne, Sweden would remain a close friend of England.¹⁶⁶ On May 15 the Queen and the ambassador had a long private conversation and on the 17th Whitelocke was received by the Prince who on the next day gave fresh evidence of Swedish friendship with England by calling on him; and it seems apparent that if Whitelocke's account of his mission is correct, as it probably is, the Protector had chosen his envoy wisely and that the success of the mission was due scarcely less to the personal qualities of the ambassador than to the desire of Sweden to be on friendly terms with the Protector.¹⁶⁷

The treatment of the Swedish resident in London meanwhile was in strange contrast to this cordiality, for a congratulatory letter written by Christina to the Protector and sent to Bonnel could not be delivered on account of the exceptions taken to the superscription, though according to Bonnel it had been addressed in pursuance of Whitelocke's advice.¹⁶⁸ On the other hand, Christina having abdicated on May 30,¹⁶⁹ her successor took occasion to announce his accession to Cromwell on June 7/17, making great professions of friendship, so that the relations between England and Sweden, thus fortunately begun, seemed in no danger of rupture by the change in rulers.¹⁷⁰ The Protector took the earliest possible occasion to listen to Whitelocke's report of his mission. Returning to Whitehall, on Monday morning, as the ambassador records, always, according to his custom, speaking of himself in the third person:

Whitelocke came to Whitehall about nine o'clock this morning, where he visited Mr. Secretary Thurloe, who brought him to the protector; and he received Whitelocke with great demonstration of affection, and carried him into his cabinet, where they were together about an hour, and had this among other discourses.

¹⁶⁶ *Ibid.*, pp. 181-4; *Merc. Pol.*, June 8-15. Christina saw Whitelocke on April 25 and said that unless Cromwell ordered the release of a Hamburg ship taken by the English, she would have to wear her old clothes, for the vessel contained wearing apparel and other personal things for herself and her servants. Thurloe, ii, 254. On May 20 the Swedish resident in London thanked Cromwell for releasing goods from the Swedish ship *Great Christopher* and asked for release of *Abraham's Offering*. *Ibid.*, pp. 299-300.

¹⁶⁷ Whitelocke, *Swedish Embassy*, ii, 187-93, 203-6, 208-16; *Merc. Pol.*, June 15-22.

¹⁶⁸ Thurloe, ii, 360.

¹⁶⁹ Whitelocke, *Swedish Embassy*, ii, 259-62.

¹⁷⁰ Letter in Thurloe, ii, 379. Cromwell did not reply until August 29, though his letter is dated, erroneously, in the Milton Collection as of July 4.

Pro. How have you enjoyed your health in your long journey, both by sea and land; and how could you indure those hardships you were put unto in that barren and cold country?

Wh. Indeed, Sir, I have endured many hardships, for an old crazy carcass as mine is, but God was pleased to show much mercy to me, in my support under them, and vouchsafing me competent health and strength to endure them.

Pro. I have heard of your quarters and lodging in straw, and of your diet in your journey: we were not so hardly nor so often put to it in our service in the army.

Wh. Both my company and myself did cheerfully endure all our hardships and wants, being in the service of our God and of our country.

Pro. That was also our support in our hardships in the army; and it is the best support; indeed it is; and you found it so in the very great preservations you have had from dangers.

Wh. Your highness hath had great experience of the goodness of God to you; and the same hand hath appeared wonderfully in the preservation of my company and myself from many imminent and great dangers both by sea and land.

Pro. The greatest of all other, I hear, was in your return home upon our coast.

Wh. That, indeed, Sir, was very miraculous.

Pro. I am glad to see you safe and well after it.

Wh. I have cause to bless God with all thankfulness for it, as long as I live.

Pro. I pray, my lord, tell me the particulars of that great deliverance.

Thereupon Whitelocke gave a particular account of the passages of that wonderful preservation: then the protector said:

Pro. Really these passages are full of wonder and mercy; and I have cause to joyne with you in acknowledgement of the goodness of the Lord herein.

Wh. Your highness testifies a true sense therof, and your favour to your servant.

Pro. I hope I shall never forget the one or the other; indeed I hope I shall not: but, I pray, tell me, is the queen a lady of such rare parts as is reported of her?

Wh. Truely, Sir, she is a lady excellently qualified, of rare abilities of mind, perfect in many languages, and most sorts of learning, especially history, and, beyond compare with any person whom I have known, understanding the affairs and interest of all the states and princes of Christendom.

Pro. That is very much: but what are her principles in matters of religion?

Wh. They are not such as I could wish they were; they are too much inclined to the manner of that country, and to some persuasions from men not well inclined to those matters, who have had too much power with her.

Pro. That is a great deal of pity; indeed I have heard of some passages of her, not well relishing with those that fear God; and this is too general an evil among those people, who are not so well principled in matters of religion as were to be wished.

Wh. That is too true; but many sober men and good Christians among them do hope, that in time there may be a reformation of those things; and I took the boldness to put the queen and the present king in mind of the duty incum-

bent upon them in that business; and this I did with becoming freedom, and it was well taken.

Pro. I think you did very well to inform them of that great duty, which now lies upon the king; and did he give ear to it?

Wh. Yes, truly, Sir, and told me that he did acknowledge it to be his duty, which he resolved to pursue as opportunity could be had for it; but he said, it must be done by degrees with a boisterous people, so long accustomed to the contrary; and the like answer I had from the archbishop of Upsale, and from the chancellor, when I spake to them upon the same subject, which I did plainly.

Pro. I am glad you did so: is the archbishop a man of good abilities?

Wh. He is a very reverend person, learned, and seems very pious.

Pro. The chancellor is the great wise man.

Wh. He is the wisest man that ever I conversed with abroad, and his abilities are fully answerable to the report of him.

Pro. What character do you give of the present king?

Wh. I had the honor divers times to be with his majesty, who did that extraordinary honor to me as to visit me at my house: he is a person of great worth, honor, and abilities, and not inferior to any in courage and military conduct.

Pro. That was an exceeding high favour to come to you in person.

Wh. He never did the like to any public minister; but this, and all other honor done to me, was but to testify their respects to your highness, the which indeed was very great, both there and where I past in Germany.

Pro. I am obliged to them for their very great civility.

Wh. Both the queen, and the king, and his brother, and the archbishop, and the chancellor, and most of the grandees, gave testimony of very great respect to your highness, and that not only by their words but by their actions likewise.

Pro. I shall be ready to acknowledge their respects upon any occasion.

Wh. The like respects were testified to your highness in Germany, especially by the town of Hambourgh; where I endeavoured, in your highness's name, to confirm the priviledges of the English merchants, who, with your resident there, showed much kindness to me and my company.

Pro. I shall heartily thank them for it: is the court of Sweden gallant and full of resort to it?

Wh. They are extreme gallant for their clothes; and for company, most of the nobility, and the civil and military officers, make their constant residence where the court is, and many repair thither on all occasions.

Pro. Is their administration of justice speedy; and have they many law suits?

Wh. They have justice in a speedier way then with us, but more arbitrary, and fewer causes, in regard that the boors dare not contend with their lords; and they have but few contracts, because they have but little trade; and there is small use of conveyances or questions of titles, because the law distributes every man's estate after his death among his children, which they cannot alter, and therefore have the fewer contentions.

Pro. That is like our gavelkind.

Wh. It is the same thing; and in many particulars of our laws, in cases of private right, and of the public government (especially in their parliaments) there is a strange resemblance between their law and ours.

Pro. Perhaps ours might, some of them, be brought from thence.

Wh. Doubtless they were, when the Goths and Saxons, and those northern people, planted themselves here.

Pro. You met with a barren country, and very cold.

Wh. The remoter parts of it from the court are extreme barren; but at Stockholm and Upsale, and most of the great towns, they have store of provisions: but fat beef and mutton in the winter time is not so plentiful with them, as in the countries more southerly; and their hot weather in summer as much exceeds ours, as their cold doth in winter.

Pro. That is somewhat troublesome to endure; but how could you pass over their very long winter nights?

Wh. I kept my people together and in action and recreation, by having music in my house, and encouraging that and the exercise of dancing, which held them by the ears and eyes, and gave them diversion without any offence. And I caused the gentlemen to have disputationes in Latin, and declamations upon words which I gave them.

Pro. Those were very good diversions, and made your house a little academy.

Wh. I thought these recreations better than gaming for money, or going forth to places of debauchery.

Pro. It was much better; and I am glad you had so good an issue of your treaty.

Wh. I bless God for it, and shall be ready to give your highness a particular account of it, when you shall appoint a time for it.

Pro. I think that Thursday next, in the morning, will be a good time for you to come to the council, and to make your report of the transactions of your negotiation; and you and I must have many discourses upon these arguments.

Wh. I shall attend your highness and the council.¹⁷¹

Besides this conversation, on that same July 3 Cromwell attended the Council of State where the important business of the day was the question of the fleet. The results of that meeting gave a hint of coming events, though the Council minutes provide only a hint. A list of twenty-five ships was approved for "this summer's expedition"; another order designated thirty-six "to be set to sea for the voyage designed them"; and six vessels were ordered to go as guard for the Newfoundland fishing-fleet.¹⁷² The pay of flag-officers was settled and four second-rates were ordered to be built.¹⁷³ Besides these pieces of business, the Protector signed an-

¹⁷¹ Whitelocke, *Swedish Embassy*, ii, 385-92.

¹⁷² Sedgwick wrote from Boston on July 1 that they had just finished preparations to fight the Dutch when C's notification of peace arrived, so they sent an expedition against the French. His letter was confirmed by Leverett on July 4. Thurloe, ii, 418, 425.

¹⁷³ *Cal. S. P. Dom.* (1654), p. 241.

other order for £23 for Jenkin Lloyd for the expense of his journey to Ireland,¹⁷⁴ and the Dutch ambassadors reported that they had appealed to Thurloe to persuade Cromwell not to grant passes to ship-captains bound for Antwerp.¹⁷⁵ This Thurloe apparently did, for it was understood three weeks later that the Protector had obliged Holland by giving up the design of trading with Antwerp through the Scheldt.¹⁷⁶ On July 4, besides attending a Council meeting where there was passed an ordinance forbidding horse-racing for six months — in order, it was said, to prevent meetings of plotters¹⁷⁷ — the Protector signed passports for a Henrick Bille and two others to go beyond seas, and one for a certain John Alport to go to Flanders.¹⁷⁸ Far more important than these matters, on that day he addressed a letter to Cardenas in regard to the Richaut brothers, who, among their other uses in the world, seemed destined to become an occasion — or an excuse — for hostilities with Spain:

To Don Alonso de Cardenas, Ambassador from Spain
[Substance only]

A very strong and angry letter demanding immediate satisfaction for the claims of the sons of Peter Richaut, who some forty years before had sent some guns into Portugal for the King of Spain; Intimating that if satisfaction is not given the government proposes to give the injured parties permission to right themselves by force, as they have asked.¹⁷⁹

July 4/14, 1654

Despite the fact that it was reported from Madrid on July 8/18 that Cromwell had suspended letters of marque granted to Peter Richaut, apparently to enable him to recover what was due him from Spain, Cardenas was greatly disturbed at the tone of Cromwell's note.¹⁸⁰ His in-

¹⁷⁴ Rawl. MSS., A 328, f. 95.

¹⁷⁵ Thurloe, ii, 422.

¹⁷⁶ Ibid., ii, 480.

¹⁷⁷ Cal. S. P. Dom. (1654), pp. 242, 245; Coll. of Proclamations (1654), pp. 461-3.

¹⁷⁸ Rawl. MSS., A 328, f. 93.

¹⁷⁹ The contents are surmised from Cardenas' reply to Cromwell, July 15/25, in Thurloe, ii, 461; and from Paulucci to Sagredo, July 7/17, *Cal. S. P. Ven.* (1653-4), p. 236. Cp. Cromwell's letters to Cardenas on Jan. 3, 1654-5, and to Philip IV and Cardenas on April 30, 1655. There is an extraordinary series of references to the Richaut case indicating its importance in the Anglo-Spanish negotiations — license to sell Spanish wool (*Cal. S. P. Dom.*, 1652-3, p. 470); warrant in regard to restoration of captured wool claimed by the Richaut brothers (*ibid.*, 1653-4, p. 444); wool released (*ibid.*, p. 282); Richaut brothers' application for letters of marque (*Cal. S. P. Ven.*, 1653-4, p. 236), Macray, ii, 385; and various conversations between Cromwell and Cardenas noted in text *supra*. They are all the more remarkable in that, according to Thurloe, the original seizure of the wool had taken place some 38 to 40 years earlier (Thurloe, ii, 461, and *Cal. S. P. Ven.*, 1653-4, p. 148).

¹⁸⁰ Paulucci to Sagredo, July 7/17, *Cal. S. P. Ven.* (1653-4), p. 236.

structions were to maintain friendly relations between his country and the Protector and it seemed to him all too evident which way the wind was blowing. Cromwell refused to lend or hire ships to Condé,¹⁸¹ and indications pointed to some attempt against Spain. The Spanish ambassador replied to the Protector's letter on July 15/25 that though he denied the justice of the Richaut claim, he would write to his King in their behalf.¹⁸²

Nor was the Portuguese ambassador less disturbed, though for a very different reason. On July 5¹⁸³ his brother was brought before Chief Justice Rolle, Justice Atkins and Serjeant Steele, with six Doctors of Civil Law to make up the commission appointed to try this difficult case.¹⁸⁴ Prideaux and Glyn appeared for the government, and the trial was continued on July 6, the jury consisting of half Portuguese and half English. Despite this concession, the prisoner was denied the right of counsel and compelled to waive his extra-territorial privilege as a member of the ambassador's household by the threat of *peine forte et dure*, or pressing to death, if he insisted on his claim. Of the facts in the case there was no question and under the circumstances little less of his conviction which was accordingly pronounced. He was condemned to death. On the same day Colonel Gerard who had been a party to Dom Pantaleon's first quarrel in the New Exchange was adjudged guilty of participation in the conspiracy against the Protector and was condemned by the High Court of Justice on which Atkins had refused to sit, and the execution of these two men who had met under such circumstances was set for the same time, July 10.¹⁸⁵

It is not surprising that in view of the situation of affairs in London, especially the plot, that the Protector at this moment took occasion to exercise his influence to secure the appointment of a safe man for the occupancy of the important post of minister to Christ Church. In a day when the pulpit was so often a sounding-board for political beliefs, when the City in particular was so strongly influenced by the preachers who had so often been opposed to the Protector, it was doubly necessary to look carefully into such matters as that to which he now addressed himself:

*To the Right Honourable Sir Thomas Vyner, Knight,
Lord Mayor of London: These*

MY LORD MAYOR,

It is not my custom, nor shall be (without some special cause moving), to interpose anything to the hindrance of any in the free course of their present-

¹⁸¹ Barrière to Condé, July 7/17, quot. in Gardiner, *Comm. and Prot.*, iii, 156, from *Chantilly Transcripts*. ¹⁸² Thurloe, ii, 461.

¹⁸³ On the same day Cromwell signed an order for oil, sweetmeats and earthenware destined for Peneguiaõ to pass customs free. *Rawl. MSS.*, A 328, f. 91.

¹⁸⁴ *Merc. Pol.*, June 29-July 6; *Perf. Diurn.*, July 3-10; *Cal. S. P. Dom.* (1654), p. 156; *A Justification of the Proceedings against the Portuguese*.

¹⁸⁵ *Perf. Diurn.*, July 6; *Merc. Pol.*, July 6-13.

ing persons to serve in the public ministry. But, well considering how much it concerns the public peace, and what an opportunity may be had of promoting the interest of the Gospel, if some eminent and fit person of a pious and peaceable spirit and conversation were placed in Christ-Church,—and though I am not ignorant what interest the State may justly challenge to supply that place, which by an order of State is become void, notwithstanding any resignation that is made: yet forasmuch as your Lordship and the rest of the Governors of St. Bartholomew's Hospital are about to present thereunto, and have a person of known nobility and integrity before you, namely Mr. Turner, I am contented, if you think good so to improve the present opportunity as to present him to the place, to have all other questions silenced; which will not alone be the fruit thereof, but I believe also the true good and union of the parish therein concerned will be thereby much furthered. I rest,

Your assured friend,

5th July, 1654.

OLIVER P.

'P.S.' I can assure you few men of his time in England have a better repute for piety and learning than Mr. Turner.¹⁸⁶

Finally on the next day, July 6, the Protector took occasion to receive Whitelocke formally and thank him publicly for the success of his mission to Sweden. The day before that ceremony Whitelocke had invited his retinue, with three preachers, Hugh Peter, George Downing and Stapleton, to his house, where, the preachers having prayed, the ambassador made a speech to his guests.¹⁸⁷ The next day he met his retinue again, arrayed in their habits and livery, at Thurloe's lodgings, where they sat for an hour and a half before Whitelocke was summoned to the presence of the Protector in the Council Chamber. As Whitelocke records:

"Being come to the outward roome, he was presently brought in to the councell chamber, where the Protector sat in his great chayre at the upper end of the table, covered, and his councell sat bare on each side of the table. After ceremonies performed by Whitelocke, and great respect showed him by the Protector and his councell," Whitelocke made a long speech or report of his mission, and delivered the treaty engrossed on vellum to the Protector. "When Whitelocke had ended his speech, and a little pause made, the protector pulling off his hatt, and presently putting it on againe, desired Whitelocke to withdrawe, which he did; and within a quarter of an hower, was called in agayne. The Protector, using the same ceremony as before, spake to him to this effect":¹⁸⁸

Speech, in Council at Whitehall, to Whitelocke, on his return from the Scedish Embassy.

"My Lord,

The Council and myself have heard the report of your journey and negotiation with much contentment and satisfaction, and both we and you have

¹⁸⁶ Lomas-Carlyle, CXCV, from *Lansdowne MSS.*, 1236, f. 111 (listed as f. 104 in *Bibl. Lansd.*, p. 298). According to Lomas-Carlyle note, the signature only of the letter is Oliver's, but the postscript is added in his own hand.

¹⁸⁷ Whitelocke, *Swedish Embassy*, ii, 392-400.

¹⁸⁸ *Ibid.*, pp. 401-9.

cause to bless God for your return home with safety, honour, and good success in the great trust committed to you; wherein this testimony is due to you, that you have discharged your trust with faithfulness, diligence, and prudence, as appears by the account you have given us, and the issue of the business. Truly, when persons to whom God hath given so good abilities, as he hath done to you, shall put them forth as you have done, for his glory and for the good of his people, they may expect a blessing from him, as you have received in an ample measure.

An acknowledgement is also due to them from their country, who have served their country faithfully and successfully, as you have done. I can assure your Lordship it is in my heart, really it is, and I think in the hearts of all here, that your services in this employment may turn to an account of advantage to you and yours; and it is just and honourable that it should be so.

The Lord hath shewed extraordinary mercy to you and to your company, in the great deliverances which he hath vouchsafed to you; and especially in that eminent one which you have related to us, when you were come near your own country, and the enjoyment of the comforts of your safe return. It was indeed a great testimony of God's goodness to you all, a very signal mercy, and such a one as ought to raise up your hearts and our hearts in thankfulness to God, who hath bestowed this mercy on you; and it is a mercy also to us as well as to you, though yours more personally, who were thus saved and delivered by the special hand of Providence.

The goodness of God to you was also seen in the support of you, under those hardships and dangers which you have undergone in this service; let it be your comfort that your service was for God, and for his people, and for your country. And now that you have, through his goodness, passed them over, and he hath given you a safe return unto your country, the remembrance of those things will be pleasant to you, and an obligation for an honourable recompense of your services performed under all those hardships and dangers.

For the treaty which you have presented to us, signed and sealed by the Queen's Commissioners, I presume it is according to what you formerly gave advice to us from Sweden. We shall take time to peruse it, and the Council have appointed a committee to look into it, together with your instructions, and such other papers and things as you have further to offer to them: and I may say it, that this treaty hath the appearance of much good, not only to England, but to the Protestant interest throughout Christendom; and I hope it will be found so, and your service thereby have its due esteem and regard, being so much for public good, and so discreetly and successfully managed by you.

My Lord, I shall detain you no longer, but to tell you that you are heartily welcome home, that we are very sensible of your good service, and shall be ready on all occasions to make a real acknowledgement thereof to you.¹⁸⁹

This was not quite the end of the ceremony. Whitelocke withdrew again to an outer room where the Clerk of the Council, Scobell, presently came to him to ask him to send in his retinue, to whom the Protector spoke again "with great courtesy and favour."

¹⁸⁹ *Ibid.*, pp. 409–11, as pr. in Stainer, no. 23.

bidding them wellcome home, blessing God for their safe returne to their friends and native countrey, and for the great deliverance which he had wrought for them; he commended their care of Whitelocke and their good deportment, by which they had testyfed much courage and civility, and had done honor to religion, and to their countrey; he gave them thanks for it, and assurance of his affection to them when any occasion should be offered for their good or preferment.¹⁹⁰

Despite his friendly words, his generosity ended with them. Though, as Whitelocke wrote, "They withdrew, full of hopes every one of them to be made great men; but few of them attained any favour, though Whitelocke solicited for divers of them who were very worthy of it,"¹⁹¹ and even the ambassador himself had his troubles. He submitted on July 12 a bill for his expenses with the expression of his hope that the confirmation of the treaty be sent to Sweden at once as its time limit expired in a month.¹⁹² On August 1 the treaty was ordered ratified under the Great Seal,¹⁹³ but Whitelocke waited in vain for much of his money until Lord Broghill persuaded a later Parliament to reimburse him in full for his outlay.

Thus ended the second great diplomatic success of the Protectorate at the moment that the conspirators in the first great plot against it were being condemned to death. In a sense the two were connected since each in its way secured the position of Cromwell. The signature of the treaties with the Netherlands and Sweden, which involved the lesser powers of the north, Denmark, Holstein, Oldenburg and the Hanse towns, opened the way for English commerce in the North Sea and the Baltic. That front was now secure in so far as it could be made so by treaty, and in fact by the strength on the sea which England had exhibited in the Dutch war. The efforts of the Protector were thereafter to be turned in other directions with little fear of interference from the northern powers, great or small. Upon what power that attack would fall many suspected and many feared but none save the Protector and his advisers knew. Meanwhile, though Sexby and Hane had returned, other English agents were still active on the Continent. Stouppé was busy among the Reformed congregations. Pell and Dury were now in Switzerland and the Rhine country. The bargaining between the Protector, the French and Spanish representatives was still in progress. The armed forces were prepared for another adventure, whose design was already under way. If Cromwell was not in precisely the same position which Gustavus Adolphus had occupied a quarter of a century earlier, his fleet, his army and his intel-

¹⁹⁰ Whitelocke, *Swedish Embassy*, ii, 412.

¹⁹¹ *Ibid.*

¹⁹² Thurloe, ii, 446.

¹⁹³ *Cal. S. P. Dom.* (1654), p. 281.

ligence service made him and his plans an object of anxiety to Continental powers no less than Gustavus had been in earlier years. He was not merely the hero of Protestantism, he was the champion of English interests throughout the world, and whatever else the Protectorate stood for, one thing seemed certain by the summer of 1654 — it was that some blow from Cromwell was certain to fall on some power or powers that stood in the way of the expansion of the “Empire of England,” whether commercial or colonial.

CHAPTER IX

I. FOREIGN AFFAIRS AND EMPIRE

The conclusion of the English treaties with the Netherlands and Sweden had wide repercussions throughout Europe especially among those powers which were, or felt themselves, likely to be affected in one way or another by the release of English naval power to operate in other regions. The first effect of the approaching peace between England and the Netherlands and the negotiations between England and Sweden had naturally been felt by the long line of little states which bordered on the North Sea and the Baltic, especially those ruled by the various branches of the house of Oldenburg. Many of these had already hastened to send envoys to England to seek the friendship of the Protector. From the tiny island of Ameland, from the territories of Oldenburg, the Hanse towns, Anhalt, Denmark, and still more distant Courland and Livonia, had come emissaries seeking the favor or the protection of what was now the first maritime power of Europe, and among the multifarious activities of the Protector in these last busy months the negotiations with the representatives of these minor North Sea and Baltic states had been conspicuous. On the other hand, France and Spain, with lesser Mediterranean powers against which, for one reason or another, it seemed possible that English animosity might be directed, were no less alarmed and no less active in their efforts to evade that animosity or even secure English aid against their enemies.

Of these and with the best reason the Spaniards were most disturbed, not only on account of their religion, the activities of the Inquisition, and the ancient hostility between England and Spain, but from the fact that their strength was obviously declining and that they possessed the most valuable and most vulnerable colonies and commerce in the western hemisphere. Upon these the English had long cast envious eyes and among them many adventurers of all nations, most of all the English, had found a field for their activities. As heirs of the Elizabethan tradition the English revolutionary leaders had turned their attention to this rich prize even before their hands were freed by peace with the northern powers. They were not, however, in a position to make a definite move in that direction or in the Mediterranean until their flank and rear had been secured by peace with the Dutch and the powers bordering on the North and Baltic seas and the way was open for an uninterrupted flow of naval stores from that quarter of Europe on which depended a great

part of their naval strength. As an aftermath of the treaties with the Netherlands and Sweden they had come to amicable arrangements not only with Denmark but with minor states and they had now little or nothing to fear of either war or stoppage of supplies.

The last weeks of June and the first weeks of July saw the departure from London not only of the Dutch embassy staff but of the agents of some of these lesser states. In addition to their passes and safe-conducts, these gentlemen bore some assurances or guarantees of friendship and even protection from the English government. Of this there was at this moment a striking example in the form of two documents, one a letter of compliment to the Prince of Anhalt, the other a "safe-conduct" for that ruler and his subjects, which, apart from its purely political significance, emphasized the common Protestantism of the two states. In connection with the treaties just signed, the missions of Stouppé to France and of Pell and Dury to Switzerland and the Rhenish states, these documents serve to illustrate further the so-called "Protestant Interest" in Cromwell's foreign policy:

Oliver, Lord Protector of the Commonwealth of England, Scotland, Ireland &c. To the most illustrious Prince and Lord, Lord John, Prince of Anhalt, Count of the Ascanian Royal House in Zerbst, his most beloved friend, Greeting.

Most illustrious Prince, most beloved Friend,

Your letters, that were sent to us by the hands of the honorable gentlemen, Frederick Matthew Woolzogen de Missingdorf and Christopher Gryphiander, delegates of the very illustrious Count of Oldenburgh, have been received. It was highly pleasing to realize from them your Zeal and favoring good-will toward us. And furthermore, let your Highness be assured of this, that we esteem your friendship very highly, and are prepared to deserve it by all good Offices, as occasion from time to time shall present itself. And still more on this account, since we are joined with you as it were in a closer bond of relationship, inasmuch as we both profess the same faith of Evangelical and purer Religion. That you have congratulated us on the supreme title conferred on us, it is fitting that we express our thanks. The letter of Safe-conduct which you have asked for we have freely granted, as you may learn more fully from the aforesaid Delegates, whom we have kindly received in accordance with your request; to them also we leave to be set forth more at length our kindly good-will toward you; moreover we commend them to your Highness as having sagaciously performed the public duty entrusted to them. In all else may the gracious and almighty God long preserve your Highness unharmed.

Given from White Hall the seventh day of July 1654.

Your good friend,

OLIVER P.¹

¹ Trans. of copy in *Rawl. MSS.*, A 261, f. 6v-7, pr. in App. II (11), *infra*. Cromwell signed a passport for the two agents on July 21, 1654. *Ibid.*, A 328, f. 100, and on July 27 a like document for another member of the delegation. *Ibid.* f. 102.

Letters of Safe-conduct for John, Prince of Anhalt

Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, etc. to all and every Our Admirals, Generals-at-Sea, Generals, Commanders, Colonels, Captains, as well as to all and every Our Ambassadors, Residents, Deputies, and public ministers, and all others, whomever it may concern:

We, by these presents, signify that, since the Most Illustrious and Most High Prince and Lord, John, Prince of Anhalt, Count of Ascania, Dynast in Zerbst, Bernburg, Jhevern, Kniphausen, etc., that he may provide for the peace and tranquillity of the peoples and dominions subject to him and seek timely remedies of immunity against the threatening calamities of future disturbances, has, as well by his own letters as by the delegates of his Most Illustrious Uncle, the Count of Oldenburg, etc., in this sense sufficiently instructed by himself, asked Us most urgently to grant personally Our safeguard, and fullest exemption from all the inconveniences of warfare, and neutrality in fullest form. We, therefore, moved by the justness and fairness of this his request, have gladly granted to him this desired safeguard, exemption and neutrality.

We do, therefore, command and will that all and every one engaged in warfare under the standards of Our Commonwealth, whatever be his condition and dignity, in order that the aforesaid Prince and Lord, Lord John, Prince of Anhalt, Count of Ascania, Dynast in Zerbst, etc., together with his Principality, his County, and his Baronies, and others thereon depending and all the subjects and inhabitants, may be permitted to live and act free from molestation, and the inhabitants be permitted to carry on their commerce freely on land and sea, and they be held as friends everywhere, and allowed under the penalty of Our displeasure, the use and the full enjoyment in every way of this Our safeguard, without harm or inconvenience.

We furthermore order all and every Our Ambassadors, Presidents, and Deputies, and other public ministers, especially in Germany and both Belgiuns, the United Belgium as well as the Spanish, and other neighboring places already established or in the future to be established, that, on every just and honourable opportunity offered, they, upon being requested, assist to the extent of their power and support by their authority and foresight the said Prince and Lord, Lord John, Prince of Anhalt, Count of Ascania, Dynast in Zerbst, etc., in maintaining this safeguard and its contents by early and suitable plans.

Finally, we order that this Our rescript with the aforesaid Prince's letter of safeguard granted to his subjects, on being shown inspected copies shall enjoy the same authority and force as the autograph and original. As evidence of the goodfaith and authority of all and every of these matters, We have signed these Our letters with Our own hand and have caused to be affixed thereto the Great Seal of England. Given from Whitehall at Westminster, on July seventh, in the year of our Lord sixteen hundred fifty-four.

OLIVER P.²

Whether "Protestantism," like those later watchwords "liberty" and "democracy" and their antitheses, with which we have become so fa-

² A contemporary copy of the original is in the Oldenburgisches Landsarchiv, Tit. 38, no. 83; pr. *infra*, App. II (12).

miliar, was an ideal or a cloak for other designs, or whether by itself it would have moved Cromwell to action for or against other powers, there can be no doubt but that it was peculiarly suited to his purposes in foreign as in domestic affairs. Whatever their practical aims, all political movements require an idealistic terminology, and that "liberty" found a champion who had come to power by successful revolution and who held his position by armed force was merely one of those inconsistencies common to all human and especially to political activities. It did, indeed, involve a sharp distinction between the conceptions which lay behind it and those which animated its opponents, for in it there resided the idea of the freedom of the individual as opposed to the domination of authority from above, in religious if not in political affairs. In the form of Protestantism it served as a basis for union of the various states and peoples which held to it, no less, perhaps even more, than the Roman Catholicism of their opponents. Yet the Thirty Years' War just past and still fresh in men's minds had demonstrated clearly enough that European powers had been prone to combine worldly and spiritual motives, to conceal the former under the cloak of the latter, or even to abandon religious for political interests. The Continent had reached the end of wars of religion, it had entered on a phase of frankly nationalistic, commercial and colonial conflict. It was too much to expect that, while it clung to the ideals and terminology of the one, such a party as that of the Cromwellians should not enter into the rivalry of the other, or that, like other powers, both Catholic and Protestant, it should not combine the two or even conceal the realities of practical politics under the ideals of a spiritual motive, with no sense of incompatibility. The Cromwellians were not the first, nor will they be the last, to identify their purposes with those of the Almighty, nor to perceive His approbation in their own worldly success.

The safe-conduct and the letter for the Prince of Anhalt were accompanied by other documents, small and great, in connection with foreign affairs. On the next day the Protector signed an order for the agents of Oldenburg to land six horses, with wine and venison,³ but far more important than this, the relations with Portugal came to a head in dramatic fashion. At this moment eight men condemned to die on July 10 petitioned for pardon or reprieve. Of these three — Gerard, Vowell and Fox — had been condemned for treason, and five — the Portuguese ambassador's brother and four others — for the affair in the Exchange. Of these, five — Fox and Dom Pantaleon Saa's companions — were successful, but the other petitions were denied.⁴ The sentence of death against the brother of the ambassador came as a surprise to the Portuguese

³ *Rawl. MSS.*, A 328, f. 91. On July 7 Cromwell signed a pass for a Richard Batten to go to Holland (*ibid.*, f. 92); on July 27 another for the Oldenburg agents to return home (*ibid.*, f. 102).

⁴ See the petition of Pereira, Master of Horse to Peneguiaõ, in Thurloe, ii, 429.

envoy and to the other foreign representatives to whom he appealed for aid. Moved by his plea, many of them interceded with Cromwell either in writing or in person. Peneguiaõ; Bordeaux and Cardenas went to Whitehall to beg for the young man's life. To their appeals Cromwell seems to have replied in general terms which gave them hope that he might be spared, but the Protector sent a messenger to Peneguiaõ to disillusion him of any ideas he might have held as to the possibility of reprieve or pardon. A reprieve might have been granted until Parliament assembled, but Paulucci suspected that the Protector thought such a course might react unfavorably on the popular mind and so let the law take its course.⁵ In consequence on the appointed day the condemned men met their fate. Vowell was hanged near the Mews Gate at Charing Cross. Dom Pantaleon and Gerard were beheaded on the same scaffold at Tower Hill that afternoon,⁶ while Fox was kept in prison for some months and finally sent to Barbados.⁷

Count Peneguiaõ, whose mission to England was so unfortunate in both its public and private character, did not wait for his brother's execution. The treaty which he had been so long in negotiating was ready a few hours before the time set for his brother's death. He signed it and left at once for Gravesend to wait for a ship to carry him back to Portugal. That treaty which offered only peace and friendship to Portugal in exchange for commercial and religious advantages to England was a diplomatic triumph for the Protector. It was, in fact, so unpleasing to King John of Portugal that it was not until two years later when Blake and Montagu led an English fleet into Lisbon harbor that he ratified it.⁸ His objections were natural enough, for, different as it was from the arrangements with the Dutch, the Swedes, and the northern powers, it involved religious privileges of Englishmen in Portugal scarcely less important than the commercial concessions with which they were so closely bound. Again the "Protestant Interest" was emphasized, and the religio-political-economic combination was not unlike that which had actuated Portuguese and Spaniards a century and a half earlier when their arms had swept through Asia and America. The grim humor of Oriental ivory-carvers who later wrought their fancies into chessmen, depicted one of their figures in European dress with a sword at his side, a money-bag in his hand and a cross in his hat, combining in that subtle caricature the characteristics of those who had forced their way into those distant regions of the world in search of power, gold and converts, and it was no bad symbol of those who now sought to break that ancient monopoly.

Nor was the "Empire of England" extended only by such means, for

⁵ Paulucci to Sagredo, July 15/25, *Cal. S. P. Ven.* (1653-4), p. 238.

⁶ *Perf. Diurn.*, July 3-10, 10-17; *Merc. Pol.*, 6-13.

⁷ Warrant, May 18, 1655, Thurloe, iii, 453.

⁸ Text of treaty in App. I (3), *infra*.

there remained the principle of settling it with the victims of the late civil war. That process had been begun long since with the sending of Welsh, Irish and Scotch prisoners to the plantations, and it was now continued with an order to Monk in favor of a London merchant:

To the Commander in Chief of the Forces in Scotland

OLIVER P.

Whereas several Scotch prisoners do yet remain under restraint in Scotland where they are not only chargeable but altogether unuseful to the public: These are to will and authorize you to deliver or cause to be delivered unto Mr. Thomas Kendall, or whom he shall appoint in that behalf, three hundred of the said prisoners to be by him transported to the Barbadoes for the use of that Island. And for so doing this shall be your warrant.

Given at Whitehall this 10th day of July 1654.⁹

With this, on the same day, was issued a pass for two Frenchmen, Peter Philboy and Francis Goury and their servants,¹⁰ and probably at or about this time, an extraordinary document was directed to either the Master of Peterhouse or of Trinity College in Cambridge, which reveals among other things that the activities of Laud, the Star Chamber and the Court of High Commission were finding their counterparts in the Protectorate:

To Dr. Lazarus Seaman or Dr. John Arrowsmith

A paper sent by a minister accusing Mr. Alexander Akehurst of the University of Cambridge, of blasphemy, having been examined, the matter is to be investigated and the persons named in the paper, which is enclosed, are to be questioned.

c. July 10, 1654.¹¹

The accused, who was vice-president of Trinity College, seems to have been already in custody.¹² On his behalf a certain James Jollie, also of Cambridge, wrote to the Protector on July 17,¹³ but apparently to no avail for the accusations were found to be true by Seaman and Arrowsmith, and Akehurst was still in custody in October.

Among various minor items of business at this moment¹⁴ was a peti-

⁹ *Rawl. MSS.*, A 328, f. 92. See *supra* May 20, 1654 for a like order.

¹⁰ *Rawl. MSS.*, A 328, f. 92.

¹¹ Contents inferred from a letter to Cromwell from Seaman and Arrowsmith, July 16, Thurloe, ii, 463. The Council of State sent a similar order to Seaman and Arrowsmith on July 8. *Cal. S. P. Dom.* (1654), pp. 246-7.

¹² *Ibid.*, pp. 246, 270, 375, 438.

¹³ Thurloe, ii, 464.

¹⁴ On July 17 the Protector signed a permit for boxes consigned to the French ambassador to enter duty free; two passes, one for a Mr. Peter Quarre and his two daughters, the other for a Mrs. Margaret Le Sueur to go to France and so to Poland; and one for four priests and a layman. (*Rawl. MSS.*, A 328, ff. 96-7.)

tion from a certain Captain Amy, commander of a ship in French service, to be excused from delinquency. It had been referred by the Protector to the Admiralty Committee in May,¹⁵ and resulted in a pass to Captain Amy with his family and men, and another to a Captain Sadlington, which was of much assistance to him when he was arrested some months later.¹⁶ On July 14 the Protector signed a permit to go to Flanders for Mr. Edward Bushell, whose name echoed that of two men who had played some part in the history of the preceding years, one of whom, the famous mining engineer, Thomas Bushell, was still in the service of the state.¹⁷

Meanwhile negotiations with France and Spain dragged on; and so long as Cromwell insisted on his demands that Englishmen be permitted to exercise their own religion in Spain and her possessions and trade freely with the Spanish Indies, there seemed little hope of accommodation. In Cardenas' famous phrase, his master had but two eyes and the Protector sought to put out both of them.¹⁸ The relations with France were little less strained. Though Charles II had at last left that country to visit his sister at Spa in the Spanish Netherlands on his way to a new refuge in Germany, Bordeaux on behalf of his government was disinclined to make the concessions to the French Protestants which were insisted on by the Protector.¹⁹ Despite this the French ambassador persisted in his efforts. On July 12 he spent four hours with the Protector²⁰ discussing fourteen articles which the latter had submitted. Of these many seemed acceptable and Bordeaux's hopes for an agreement were higher than when de Baas had shared his mission. Thurloe assured the Dutch ambassadors, in fact, that the outlook for a treaty with France was most encouraging.²¹ Moreover Bordeaux was pleased to report that Cromwell's agent, Stouppé, who had left Switzerland early in June and had just arrived in England,²² held out no hope of a rising of the Languedoc Huguenots at the Protector's bidding.²³ The Swiss mission had better success. At a meeting of the cantons in June the Catholic elements had requested the Protestant cantons not to make an alliance with Cromwell, promising religious liberty in the name of the King of Spain and the Italian princes.²⁴ On the

¹⁵ *Cal. S. P. Dom.* (1654), p. 175.

¹⁶ *Ibid.*, pp. 395, 403, 406; copy in *Rawl. MSS.*, A 328, ff. 93-4.

¹⁷ *Ibid.*, A 328, f. 94.

¹⁸ Thurloe, ii, 414 and n.; Ludlow, *Memoirs*, ii, 494; mentioned in Bordeaux's despatch of Sept. 3/13; *P. R. O. Trans.* quoted in Gardiner, *Comm. and Prot.*, iii, 160.

¹⁹ Sagredo to the Doge, July 4/14, *Cal. S. P. Ven.* (1653-4), p. 235.

²⁰ Jongestal to Count William, July 13/23, Thurloe, ii, 446-7.

²¹ *Ibid.*, p. 447.

²² Pell to Thurloe, July 1, 1654, Vaughan, *Cromwell*, i, 17.

²³ Bordeaux to Brienne, July 13/23, *Fr. Trans. R. O.*; same to same, Thurloe, ii, 447. ²⁴ *Sev. Proc.*, July 20.

other hand the Swiss envoy, Stockar, assured the Senate that of all that had been accomplished in England and Holland by his mission, the most important result was the Protector's assurance of friendship to the Swiss Protestant churches.²⁵ It is apparent from all this that Cromwell's maneuvers through his agents in France, Switzerland, and the Rhine regions had begun to have some effect on the Catholic powers in bettering the position of continental Protestants; and it is perhaps not too much to assume that his demands on the King of Spain were put forward as much for similar purposes, or even as a basis for hostilities, as with any idea that they would be accepted at their face value.

Meanwhile conferences between the Protector and the Dutch ambassadors, Beverning and Nieupoort in particular, went on, and Jongestal, was much disturbed at the growing intimacy of his colleagues with Cromwell.²⁶ The authorities of Friesland went so far as to suggest that the ambassadors be recalled to give an accounting of their mission, but Holland replied with four reasons why they should remain at their posts and have frequent conferences with the Protector. This was advisable, Holland argued, in order to prevent any unfortunate results from "misde-meanors which might be committed at sea"; to confer with Cromwell on matters arising from the treaty, for whose settlement commissioners had been named but which in some cases could not be settled by commissioners; to do everything possible to bring about an understanding with England and France; and to assist in the negotiations between Cromwell and the King of Denmark.²⁷ These were all important, the last not least. The English agents in Denmark, Edwards and Evans, had now succeeded in securing eighteen of the twenty-two ships held by Denmark and demanded by England, together with twenty thousand rix-dollars in part payment of goods removed and damaged.²⁸ On July 14 the commissioners for the Danish negotiations asked Cromwell and the ambassadors to decide whether or not three additional ships claimed by the English merchants should be demanded from the Danes.²⁹ Two days later the ambassadors presented to Thurloe their views in regard to this question,³⁰ and in so far, at least, justified the contention of Holland as to their usefulness in remaining in England.

On July 12 Cromwell attended the Council meeting for the fifth time in that month. There he not only looked over papers from the Dutch ambassadors but listened to complaints from the creditors of the Portu-

²⁵ Letter to Stouppe, July 16/26, Thurloe, ii, 461.

²⁶ Jongestal to Count William, July 13/23, 14/24, *ibid.*, pp. 446, 454.

²⁷ Resolution June 1/11, *ibid.*, p. 340.

²⁸ *Ibid.*, pp. 401-4. See *Verbael*, pp. 486-534 *passim*, for papers relating to the Danish settlement.

²⁹ Thurloe, ii, 456.

³⁰ *Ibid.*, p. 463.

guese envoys who clamored for satisfaction for the debts incurred by that embassy, and read protests from various Scottish nobles against the taxes which had been imposed on them.³¹ He attended again the next day when the meeting concerned itself almost entirely with financial questions,³² but he was not present on July 14 when Whitelocke was sworn in as Commissioner of the Great Seal.³³ His absence on that day may have been due, in part at least, to the fact that his "cofferer," Maidstone, and his auditor, Barrington, requested an advance on the household allowance for the purchase of winter stores for the Protectoral household.³⁴ That was a question which much concerned the opposition party of the time, not on account of the expense but rather on account of the frugality of the Cromwellian ménage. Their criticism was directed especially against the Lady Protectress, who, it was said by malicious gossip, had carried into that high office the habits of those earlier days in her life when she had been compelled to economize in every way. When her husband became Lord General, it was said, the refreshments she served to his friends and followers were of the most meager description, and even after he became Protector, his household and kitchen lacked much of what might have been expected of one in such high position and fell far short of the liberal provision made under the monarchy. That frugality and lack of ostentation was projected into court functions, and among the other charges brought against the Protector was that he had failed to support the dignity of his office and cut the figure before the world which might have been expected of the head of such a state as England.³⁵ Hampton Court had been repurchased for what seems the absurdly small sum of £760³⁶ and Desborough and Lambert had consulted the Protector as to the advisability of buying back the Little Park at Windsor but so far without result.³⁷ Whatever charges could be brought against Cromwell, then, that of personal ostentation and extravagance is not one. What is more serious than the allegations of his wife's parsimony, however, are the charges that she acted as a collector of perquisites and fees for those seeking her husband's favor, and by such means acquired considerable sums.³⁸ Such accusations made in many forms against many persons more or less in her position are naturally incapable

³¹ Verbael, p. 504; *Cal. S. P. Dom.* (1654), pp. 250-1.

³² *Ibid.*, p. 252.

³³ *Ibid.*, p. 253.

³⁴ *Ibid.*, pp. 253-4. On June 19 the Council issued a warrant to Francis Downham, upholsterer, for £489/5/9 for goods delivered to Whitehall. *Ibid.*, p. 449.

³⁵ See *Court and Kitchen*.

³⁶ Deed of sale executed by John Phelps according to an order of June 27. *Cal. S. P. Dom.* (1654), p. 223.

³⁷ *Ibid.*, p. 227.

³⁸ *Court and Kitchen*, pp. 486, 501 ff.

of proof or disproof, but there is reason to believe that the Protectress was a person fully alive to the value of this world's goods, though in the face of the existing evidence it is impossible to go beyond that fact.

This, then, is how the Protector lived and spent his time while he occupied Whitehall as at once the head, the chief servant and prisoner of state. He rose early; breakfasted with his family and sometimes others; attended morning service in the chapel; handled the infinite mass of administrative detail which came before him; gave audience on occasion to foreign envoys; was present at the Council meetings when opportunity served or when business of especial importance was considered; ate his midday meal with his family and often with guests; went to evening service in the chapel; walked on the leads of the palace or in St. James's Park; sometimes looked over the troops stationed round about; dropped in occasionally on some of the occupants of Whitehall, the Cockpit, or St. James's Palace; spent most week-ends at Hampton Court; and on rare occasions ventured farther — into the City for formal public functions, or even wider afield. But in the main almost his entire life was spent in the narrow precincts between Whitehall, Westminster Hall and St. James's Palace and nearly every waking moment was absorbed in business of state. Whatever satisfaction he may have taken in the fact that he had won his fight for place and power, that his word was law and that he was courted and feared at home and abroad, whatever comfort he may have taken in the success of the cause he represented, it is evident from many of his utterances in public and private that, like others who have attained to great authority, he did not love the life he led nor the obligations it imposed on him. It was at once the condition and the penalty of the position he had attained.

As part of the duties incumbent on him by virtue of his office one of the minor but necessary obligations was the continual necessity of signing documents, which has always been recognized as one of the more onerous and annoying conditions of holding such a position as his. Another, especially in those days, was the importunity of individuals who in some fashion or other found their way to his presence. Of this at this moment there were two notable instances. The first was the signature of a warrant for a quarter's salary of £50 to that William Ryley,³⁹ who, beginning as clerk of the records about 1620, remained in charge of those public documents in one capacity or another for nearly half a century, for a considerable period without remuneration. It was due to Cromwell, whom he supported, that Ryley was granted this salary, and his appointment as agent to the commission for the sale of royal forests was doubtless due to the same authority.

The second was the report of an interview on Sunday, July 16, be-

³⁹ *Rawl. MSS.*, A 328, ff. 99-100.

tween the Protector and the Quaker Anthony Pearson, which, as chronicled by the latter, gives a glimpse, however brief, into the life and in some measure the opinions of Cromwell at this time. In a letter to George Fox, his follower Pearson tells how he met the Protector walking along on the leads of the housetop after a return from chapel and was led to a gallery by Cromwell who "kindly asked me how I did, with his hat pulled off." The Quaker, who kept his hat on, for a time stood silent, then fell into a kind of a trance and presently began an impassioned and mystical harangue, in which he declared that the late wars were not for the interest of the Protector or any one but for "the seed's sake," that Cromwell had been raised up to throw down oppression and was himself responsible for the persecution of the Quakers. Then "Pearson began to expose the injustice of the Act of Mary against the malicious disturbance of Ministers."

"There he stopped me, and began a long discourse to justify that law, and in the meantime came in his wife and about twenty proud women more, and after them at least thirty young fellows, his sons and attendants: and so when I could get to speak I answered not his questions directly, but spoke to all, and in discourse answered what was material . . . but still he called "answer me directly," and so in his will laboured to persuade them against what I said, and told them the Light of Christ was natural, and that the Light within had led the Ranters and all that followed it into all manner of wildnesses."

Cromwell grew weary and Pearson was dismissed, feeling that "there was not the least sign of any honesty left in him, nor any tenderness, though I spoke enough to have broken his heart, but in his pride and loftiness and will [he] cast it off and justified the priests,"⁴⁰ and adding a prophecy truer than most of its sort that "I think he will never suffer me to see him again."⁴¹

Slight as the anecdote may seem, it reveals two things about the Protector. One is his willingness to listen to almost any one, for, like a good administrator, he acquired much information and in some measure guided his course by such intimations of public opinion as could be gained from these contacts. It is a characteristic of many such men in such positions, of Napoleon, of Lincoln, and of lesser figures. Moreover the brief remark as to the danger of following the "light within" as reported by Pearson, reveals that the Protector, himself no mean exponent of that doctrine in his earlier years, perceived from his greater experience and his more exalted position what dangers lay in the unrestricted liberty of even the most sincere of religious fanatics. To that liberty he was compelled to set some bounds in the interest of the stability of government itself lest it descend into anarchy where there was no liberty.

⁴⁰ Pearson to Fox, July 18, 1654, quot. in Braithwaite, *Beginnings of Quakerism*, pp. 435-6.

⁴¹ *Dict. Nat. Biog.*, "Pearson," quoted from Pearson's letter to Fox.

From such matters the Protector was summoned to consider other and more worldly affairs. On July 18 he attended the Council meetings, as a result of which, apparently, orders were sent to Sir William Constable, sheriff of York, who had just reported the escape of Major-General Montgomery who had been taken prisoner at Worcester, to recapture him if possible. Like orders were sent to Monk in Scotland; and Fenwick, governor of Berwick, was commanded to secure Montgomery's father, the Earl of Eglinton, and his brother, Hugh, Lord Montgomery, until they were able to produce and surrender the Major-General or give security for his leaving the kingdom.⁴² This was not long, for, arrested in Renfrewshire and confined in Edinburgh Castle,⁴³ he presently made his escape to the Continent.

His seizure was important in view of the situation which had meanwhile developed in Scotland. Monk's proposal to the Protector to imprison the fathers and eldest sons of Lowland families whose younger sons were joining Middleton was rejected, and in default of that Monk had tried to draw an impassable barrier along the lower edge of the Highlands and cut off any support, especially cavalry, from Middleton's forces. Securing the line of the Forth and Tay, he established himself at Ruthven Castle, while Middleton was at Kintail. Thus prepared, in late June Monk led his forces to devastate the Highlands, while Middleton, escaping the attack, followed Monk's devastation of the lands of the Camerons, the Macdonalds and the Mackenzies by harrying the Campbells, whose head, the Marquis of Argyll, was co-operating with the English invaders. In the first weeks of July Monk moved against Middleton and on July 19 their forces met at Dalnaspidal between Loch Garry and Loch Rannoch. Middleton's followers were defeated by Morgan with the loss of a great part of their horses and stores.⁴⁴ With this defeat, organized resistance in Scotland was virtually ended. In the following spring Middleton fled to the Continent where he joined Charles II at Cologne. Glencairn, who had been defeated by Morgan some months earlier, made a treaty of submission with Monk on August 20.⁴⁵ The Royalist lords were preparing to submit; the prisoners were being transported to Barbados; and Monk entered on a campaign of destruction which not merely crushed the remaining resistance but laid waste the rebellious districts.

In comparison with this visitation of fire and sword on Scotland the record of Cromwell's activities in these days seems commonplace enough. As Morgan and Middleton approached each other, on July 18 the Protector sent to the Committee for the Approbation of Public Preachers a

⁴² *Cal. S. P. Dom.* (1654), pp. 246, 257-8.

⁴³ *Perf. Diurn.*, Aug. 21.

⁴⁴ Narrative in Firth, *Scotland and the Protectorate*, pp. 149-53.

⁴⁵ *Ibid.*, pp. 165-8.

presentation to the vicarage of Hearne in Essex, void by the cession of Edmond Godwin, in favor of one Joseph Jackson;⁴⁶ and on the same days he signed a warrant to pay £100 of John Dury's salary to Dury's wife, Dorothea.⁴⁷ On July 22 he authorized Fiennes, Cooper, Strickland and Pickering to sign the treaty with Portugal.⁴⁸ With this the Portuguese negotiations came to an end, accompanied with the usual grist of documents. On July 18 the Protector issued a pass for a John Mendez to go to Portugal⁴⁹ and an order to the Commissioners for the Customs to put the ambassador's goods on board the *Kentish Frigate* and such other ship or ships as he might hire,⁵⁰ and an order for his passage on that vessel:

To the Commander of the Kentish Frigate

OLIVER P.

Whereas his Excellency the Lord Ambassador from the King of Portugal, having despatched his embassy with Us, is upon his return home and We having thought fit to appoint the ship the Kentish Frigate for his transportation thither: These are therefore to will and require you to receive aboard the said ship the said Lord Ambassador, his retinue and followers, with his goods, baggage and necessaries whatsoever, and them as wind and weather will permit to transport to Lisbone in Portugal aforesaid, and you are to afford him the best conveniences and accomodations of your ship, and to give him that honour and respect that is due to a person of so great quality as he is: and having performed this service you are to observe such orders as you shall receive from the Commissioners of the Admiralty and Navy. Of which you are not to fail, and for which this shall be your warrant.

Given at Whitehall this 18th day of July, 1654.⁵¹

On that same day, too, he wrote the Archduke Leopold in regard to goods alleged to have been seized by Sir Richard Grenville from Sir Charles Harbord:

To the most Serene Prince, Leopold, Archduke of Austria, Governor of the Low Countries under Philip, King of Spain.

Most Serene Lord,

Charles Harbord, knight, has set forth in his petition to us that having sent certain goods and household stuff out of Holland to Bruges under your jurisdiction, he is in great danger of having them arrested out of his hands by force and violence. For that those goods were sent him out of England in the year 1643, by the Earl of Suffolk, for whom he stood bound in a great sum of money, to the end he might have wherewithal to satisfy himself, should he be

⁴⁶ *Clar. MSS.* in Bodleian Library. Cal. in Macray, ii, 386.

⁴⁷ *Rawl. MSS.*, A 328, f. 99.

⁴⁸ *Cp. Hist. MSS. Comm. Rept.* 6, App. p. 309 (*Leconfield MSS.*).

⁴⁹ *Rawl. MSS.*, A 328, f. 98.

⁵⁰ *Ibid.*

⁵¹ *Ibid.*, f. 97.

compelled to pay the debt. Which goods are now in the possession of Richard Greenville, knight, who broke open the doors of the place where they were in custody, and made a violent seizure of the same, under pretence of we know not what due to him from Theophilus, Earl of Suffolk, deceased, by virtue of a certain decree of our court of chancery, to which those goods, as being the Earl's, were justly liable, he had them transferred; whereas by our laws, neither the Earl now living, whose goods they are, is bound by that decree, neither ought the goods to be seized or detained; which the sentence of that court, now sent to your Serenity, together with these letters, positively declares and proves. Which letters the said Charles Harbord has desired of us, to the end we would make it our request to your highness, that the said goods may be forthwith discharged from the violent seizure, and no less unjust action of the said Richard Greenville, in regard it is clearly against the law and custom of nations that any person should be allowed the liberty to sue in a foreign jurisdiction upon a plaint wherein he can have no relief in the country where the cause of action first arose. Therefore the cause of justice itself and your far celebrated equanimity [fair-mindedness?] encouraged us to recommend this cause to your highness, assuring your highness that whenever any dispute shall happen in our courts concerning the rights and properties of your people, you shall ever find our zeal assuredly not remiss but on the contrary ready and quick in our returns of favor.

Your highness' most affectionate

Whitehall, Westminster,
18 July, 1654.

OLIVER P.⁵²

With this, two days later, went another of those recommendations for a soldier wounded in the wars, which are so common among the documents to which Cromwell appended his signature and which, among other things, provide at least part of the reason for his popularity with the army:

For General Fleetwood, Commander-in-Chief of our Forces in Ireland
SIR,

It is our will and pleasure that the papers of Patrick Rooth, a maimed soldier, here inclosed, be taken into consideration by the Commissioners for Sequestrations or whom else it may concern, and that speedy justice may be done him as to the obtaining of his right. But if he be barred by the delinquency of his ancestors, and it be thought inconvenient to restore those houses and lands to him by making a precedent of that kind, yet in regard he hath manifested his good affection to the service of the Commonwealth and hath lost his arm therein, we do think fit and do hereby order that the Commissioners for Sequestrations do put him in possession or permit him to receive the

⁵² Symmons, *Milton*, iv, 461-2; Milton, *Works* (Columbia), xiii, no. 122. Undated in Columbia, Phillips' and Symmons' editions. The Skinner Transcript assigns the date August, 1658, and Masson (*Milton*, v, 176) arbitrarily places it under October, 1655, the latest date possible; but the contemporary copy in Rawl. MSS., A 260, ff. 11v-12, dates it as above, though the same letter is dated Nov. 1654 in *ibid.*, A 261, ff. 27v-28.

profits of so much of the said lands and houses as may yield him a subsistence for himself, his wife and children, and that the true state of his case be certified to us; and it is our further pleasure that the Governor of Wexford do permit him to live there with his wife and family and do show him kindness and give him encouragement so long as he shall demean himself honestly and well. All which is recommended to your special care to see the same effectually performed.

Your loving father,

Whitehall, July 20, 1654

OLIVER P.⁵³

But the Protector's time was not wholly, nor even chiefly, absorbed in such minutiae of public business, civil and military. Interrupted by these details there went on the discussion and settlement of great questions of policy, foreign and domestic. On the same day that he signed this recommendation for the obscure soldier, we have the record of one of what must have been many such discussions of high policy. Among the papers of Colonel Edward Montagu, then a member of the Council of State and later Earl of Sandwich, there is a memorandum in his own handwriting of one of these discussions in the Council on the subject of England's policy in the form of what amounts to a debate between the Protector and General Lambert. On the one hand it is apparent from this brief memorandum that the Protector had his heart more or less set on war with Spain, to which Lambert offered his objections — and which was the more statesmanlike the reader may judge — and on the other hand it is no less apparent that behind it lay the eternal problem of finance:

A Debate in the Council of State

20 July 1654.

Wee cannot have peace with Spain out of conscience to suffer our people to goe thither and be idolators. They have denied you commerce unlesse you be of theire religion.

Lambert.

1. The work improbable.
2. To farr off, haueing greater concernements of setli[n]ge at home.
3. Not like to advance the Protestant cause; or gaine riches to us or vent [for] troublesome people in England, Ireland, or Scotland.
4. The case at first wrong stated. The chadge not well considered. The regulation of our lawe and other concernements not well taken care of it.

The setlement of Ireland in its government. Transplantation or not transplantation? Better wayes of vent for our people may be found then it.

Protector['s] Resp[onse].

Wee consider this attempt, because wee thinke God has not brought us hither where wee are but to consider the worke that wee may doe in the world as well as at home, and to stay from attemptinge untill you have super-

⁵³ Lomas-Carlyle, Suppl. 89, from Letters from the Lord Protector, A/28, f. 38, in P.R.O., Dublin.

fluitye is to putt it off for ever, our expenses beinge such as will in probabilitye never admitt that.

Now Providence seemed to lead us hither, haveinge 160 ships swimminge: most of Europe our enemyes except Holland, and that would be well considerd also: we thinke our best consideration had to keep up this reputation and improve it to some good, and not lay them up by the walls. Thence wee came to consider the two greate crownes, and the particular arguments weighed, we found our opportunitye point this way.

It was told us that this designe would cost little more then laying by the shippes, and that with hope of greate profitt.

L[ambert's] reply.

Our armye in Scotland and armye and inhabitants in Ireland must quit the countrye, or you must find more treasure; or else the West India designe must be lett fall, and if any of these fall upon us what account shall wee give to Parliaments for it?

Resp.

The probabilitye of the good of the designe, both for the Protestants' cause and utiltye to the undertakers, and the cost noe more for one twelve month then would disband the shippes.

L[ambert's] reply.

Denyes the feasibilitye, and the sendinge away these shippes to require noe supply for a twelve months; besides casualtytes of diseases and warrs that men are subject to, New England and the Barbadoes will not flocke to you in Hisp[aniola], unlesse you be settled there in peace. Spaniard will certainly struggle as much as he can to preserve it. Whenever you doe lay downe your shippes the chardge will be much encreased and must be paid.

Resp.

Its hoped the designe will quitt cost. Six frigotts nimble[?] shall range up and downe the bay of Mexico to gett prey.⁵⁴

It is evident from the record of this debate in the Council and from the events immediately following that great designs were under way. Some time during this meeting, Desborough, Montagu and Sydenham were appointed to inquire into the state of the forces in Scotland and Ireland and to examine the whole state of the Treasury, and the session ended with orders to the commissioners who were dealing with Bordeaux to prepare proposals to be offered to the French, having in mind that day's debate.⁵⁵ On the next day, having signed a passport for the Oldenburg envoys, Wolzogen de Missingdorf and Gryphiander,⁵⁶ the Protector received the Venetian envoy in a formal audience of some importance in view of the pending operations. As Paulucci described it, this function was of the most imposing character. Passing between the lines

⁵⁴ *Clarke Papers*, iii, 207-8, from Papers of the Earl of Sandwich at Hinchingbrooke, i, 55; all in Edward Montagu's hand.

⁵⁵ *Cal. S. P. Dom.* (1654), p. 258.

⁵⁶ *Rawl. MSS.*, A 328, f. 100.

of a hundred of the Protector's body-guard, the envoy entered the audience room where he found the Protector attended by some forty gentlemen who stood at some distance and by Thurloe close beside him. Paulucci offered the congratulations of his government in the most flattering terms, expressing his confidence that England's great naval resources would humble their common enemy. He promised satisfaction for Captain Gallilee and for all other questions at issue between England and Venice and after he had delivered to Cromwell the letter from the Venetian Senate and Fleming had translated the address, the Protector replied with assurances of his appreciation of the consideration promised Gallilee and of his desire to assist the Venetians, charging the envoy to forward a full account of the interview to Venice.⁵⁷

These were no empty words. The formalities of Paulucci's reception were followed on the next day by the signature of instructions to Blake who was about to leave for the Mediterranean and probably at the same time a letter to the Governor of Algiers:

*Instructions to Gen. Rob. Blake, Commander-in-chief of the
Mediterranean fleet*

You are to go to Algiers, send for the English consul, ascertain what English prisoners they have, and what prizes have been taken by Algiers' ships, and demand restitution of all ships and goods taken since _____ from English subjects, and the liberty of all the captives. You are to say that we wish to agree on articles for a friendly correspondence and mutual commerce, and you are to treat on articles of peace, such as are usual and necessary. If they refuse to do us justice, you are to use the force under your command to compel it, and assault them by land or sea, as you think fit.⁵⁸

July 22, 1654

To the Governor of Ar[li]gier

Demanding the release of all English captives and warning him to desist from any such future violence against English subjects.⁵⁹

c. July 1654

⁵⁷ Paulucci to Sagredo, July 28/Aug. 7, *Cal. S. P. Ven.* (1653-4), p. 244.

⁵⁸ *Entry Book, Charles II*, no. 4, pp. 17-18. Misdated, 1656, and so cal. in *Cal. S. P. Dom.* (1656-7), p. 49. Cp. Gardiner, *Comm. and Prot.*, iv, 147. Curtis' *Blake* (Taunton, 1934), p. 135, says "original instructions to Blake are unknown." There were probably later and fuller instructions in August or September. Powell, *Blake*, p. 267, accepts Corbett's date of July 22, 1655.

⁵⁹ "This message was resented with so much terror and astonishment that the Governor immediately gave order for the release of all the English, and set forth an Edict or Proclamation prohibiting the seizing of any English vessel whatsoever upon pain of death; and to incur the seizure of their whole Estate, in case of any obstructing or interposing any English man whatsoever, in their free Trade and Commerce." *A Message sent from His Highness the Lord Protector to the Great Turk*, pr. for Peter Mitchel, 1654 (Dec.). Cp. Samuel Boothouse (consul at Tunis), *A brief remonstrance of several national injuries perpetrated on the public minister and subjects of the Commonwealth by the Dey of Tunis* (1653).

Nor was this all of the Mediterranean project. On that same day the Protector signed a passport for Colonel Christopher Mayo to go to Spain,⁶⁰ and on the 24th a letter for him to take to Philip IV:

*To the Most Serene, and Potent Prince Philip the Fourth King of Spain
Sir,*

It hath been represented to us that by a capitulation entered into in January 1652 betwixt Colonel Mayo a subject of this Commonwealth on the one part, and an officer of your Majesty's on the other part, the said Colonel did (at his own cost, and upon his own hazard) undertake to bring into the port of St. Sebastian, or Bilboa for your Majesty's service three thousand Irish; and was to receive twenty-four Spanish pieces of 8: for every man that should be so landed one moyety in hand, and the other moyetie within one month after their landing. And that in pursuance thereof the Lord Broghill, Major Peter Wallis, and Colonel Phayre by procurement of, and assignment from the said Colonel Mayo did accordingly transport one thousand four hundred eighty four men, and Francis Owen and Lucas Lucye one thousand three hundred men to the said port of St. Sebastian, and there landed them for the service of your Majesty. Wherein your Majesty cannot but perceive the propensity of this Commonwealth to the preserving of amity & friendship betwixt the two nations. Notwithstanding which it hath been further informed us, that the said capitulation so punctually observed on the part of Colonel Mayo by his assignes, and agents remains unperformed on the part of your Majesty, the money payable in respect thereof being yet unsatisfied, whereby the persons who managed the service are very great sufferers in their estates and credit. We have therefore thought it necessary and answerable to that care which we owe to the due rights of the people over whom we are intrusted to recommend it earnestly to your Majesty That your effectual command and direction may be interposed for the speedy payment of what is so justly due to the persons concerned by virtue of the capitulation thus performed, less than which cannot be expected by us, since the denial or delay thereof would be inconsistent with that common justice which ought to be maintained betwixt nations in amity, and unsuitable to that respect which this Commonwealth hath testified in this particular action to your Majesty's interest, and affairs.

Whitehall,
24^o July 1654.

OLIVER P.⁶¹

In such fashion the Mediterranean project took shape at the moment that the train was being laid for an attempt on the Spanish possessions in the West Indies. It was some two or three weeks before Blake left London and more than two months before he sailed from Plymouth.⁶² That period was occupied in making his fleet ready and in preparing the scarcely less important communications to the Mediterranean powers,

⁶⁰ Rawl. MSS., A 328, f. 99.

⁶¹ Ibid., A 261, ff. 7v-8v. On Aug. 4, Cromwell wrote to the Archduke Leopold about Irish sent by Luce and Owen to Flanders.

⁶² Cal. S. P. Dom. (1654), pp. 277, 291-2, 301; Perf. Diurn., Oct. 4.

but already the outlines of the forthcoming events were perceptible. It was evident that Blake's expedition was designed not merely to exhibit England's naval strength to the Mediterranean but to use it as a means of securing the acceptance of the Anglo-Portuguese treaty by King John; to collect — if possible — the bill of Colonel Mayo for the Irish sent into Spanish service; to inspire terror in the minds of the Algerian pirates; and in general to strengthen English influence in that part of the world. Nor, if the West Indian project were to be carried through, is it inconceivable that Blake's show of force in the Mediterranean might serve as a means of holding Spanish naval power near home and so facilitate operations in America. In such fashion, having secured the English position in the North and Baltic Sea regions by his victories over the Dutch and his treaties with them, with the Swedes, the Danes and other lesser powers, the Protector advanced into the field of world politics.

These were not all the steps in that direction in these important summer days of 1654. In addition to attending the meeting of the Council where the Chancery Bill was being debated, on July 24 the Protector received French and Dutch ambassadors.⁶³ Bordeaux, whose negotiations with the English commissioners over the questions arising from the privateering activities of either side had been increasingly active,⁶⁴ complained to the governor of Calais that he was "entertained with fair words and a parcel of promises" and advised that functionary, somewhat superfluously, that French frigates should avoid falling into English hands.⁶⁵ He spoke with the Protector of many things, but chiefly of de Baas.⁶⁶ The Dutch envoys, who congratulated the Protector on his escape from assassination, had gone to the audience with the intention of asking for copies of the English treaties with Sweden and Portugal. They did not expect that their request would be granted, and they were not disappointed.⁶⁷ Meanwhile the Portuguese embassy was speeded on its way home. On July 25, besides signing a passport for the ambassador and his retinue, and an order to "Prestmasters" to permit the ship *Francis*, hired by him, to pass unmolested,⁶⁸ the Protector also affixed his signature to a letter of compliment to the Portuguese monarch, which presumably was to be carried by the departing envoy:

To the most Serene Prince, John the Fourth, King of Portugal, etc.

Most Serene King,

The peace and friendship which your majesty desired, by your noble and splendid embassy sent to us some time since, after certain negotiations begun

⁶³ *Cal. S. P. Dom.* (1654), p. 262; *Sev. Proc.*, July 24; *Perf. Diurn.*, July 24.

⁶⁴ Paulucci to Sagredo, July 21/31, *Cal. S. P. Ven.* (1653-4), p. 242.

⁶⁵ Letter July 27/Aug. 6, Thurloe, ii, 491.

⁶⁶ Bordeaux to Chanut, July 28/Aug. 7, *ibid.*, p. 492.

⁶⁷ Jongestal to Count William, *ibid.*, p. 482; *Verbael*, p. 523.

⁶⁸ *Rawl. MSS.*, A 328, ff. 101-2.

by the parliament in whom the supreme power was vested at that time, as it was always most affectionately wished for by us, with the assistance of God, and that we might not be wanting in the administration of the government which we have now taken upon us, at length we brought to a happy conclusion, and as we hope, as a sacred act, have ratified it to perpetuity. And therefore we send back to your majesty your extraordinary ambassador, the lord John Roderigo de Sita Meneses, count of Pennaguiada, a person both approved by your majesty's judgment, and by us experienced to excel in civility, ingenuity, prudence and fidelity, besides the merited applause which he has justly gained by accomplishing the ends of his embassy, which is the peace which he carries along with him to his country. But as to what we perceive by your letters dated from Lisbon the second of April, that is to say, how highly your majesty esteems our amity, how cordially you favour our advancement, and rejoice at our having taken the government of the republic upon us, which you are pleased to manifest by singular testimonies of kindness and affection, we shall make it our business, that all the world may understand, by our readiness at all times to serve your majesty, that there could be nothing more acceptable or grateful to us. Nor are we less earnest in our prayers to God for your majesty's safety, the welfare of your kingdom, and the prosperous success of your affairs.

Whitehall, 25 July, 1654.

Your majesty's most affectionate,
OLIVER, etc.⁶⁹

With this the Portuguese incident, so far as its activities in England were concerned, came to an end. Two days later the final preparations for the departure of the embassy were made when Cromwell signed an order to the Navy Commissioners to provide a vessel to take the goods of the ambassador and his retinue out to the *Kentish Frigate* which had been assigned to carry them home.⁷⁰ On the 25th he signed a passport for one Henry Saunderson, whose status and mission are now lost in obscurity;⁷¹ and on the same day he signed a warrant for the arrest of a certain John Wills, probably in connection with the recent plot:

To Edward Downes

OLIVER P.

These are to will and require you to apprehend the body of John Wills, and him forthwith to bring in safe custody before the Council at Whitehall to answer to such things as shall be objected against him, wherein all constables and

⁶⁹ Symmons, *Milton*, iv, 397-8; contemp. copy of Latin original in Rawl. MSS., A 261, ff. 7-7v, which lacks the concluding "Your majesty's most affectionate" and is dated as above. The Columbia Milton (no. 65) dates it July 10, 1654, as does Masson (*Milton*, iv, 636), while Waylen assumed, apparently from the position of this letter in the Milton collection, that it should be dated "early in 1656." Dated Aug., 1658, in Skinner Transcripts. The count left July 10 (but see July 18) and his passport was dated July 25.

⁷⁰ Rawl. MSS., A 328, ff. 103-4.

⁷¹ *Ibid.*, f. 101.

other officers whatsoever are to be aiding and assisting to you. And for so doing this shall be your warrant.

Given at Whitehall this 25th day of July, 1654.⁷²

On the following day, July 26, the Protector attended the meeting of the Council and received the Swedish ambassador, Bonnel, who had just received new credentials from King Charles X,⁷³ who on June 5 had ascended the throne on the abdication of Christina. This, as usual, was duly advertised in the government-controlled newsbooks and to confirm it in the public mind there was issued three days later *A Message from Charles King of Sweden to Oliver, Lord Protector . . . with the letters of credence sent . . . to M. Bonnel concerning the Articles of Peace and Union*. On July 27 among other documents the Protector further signed a warrant to Ithamar Pell, the wife of John Pell, for £150 as his salary for service abroad and £50 for a quarter's salary as mathematics lecturer at Cambridge,⁷⁴ and on July 28 he referred a petition to him by Henry Taylor to the Drury House Trustees for the sale of delinquents' lands, adding in his own hand

It is referred to the Trustees of Drury House to examine the truth of this petition and to give such relieve to the petitioner as may consist with justice and be agreeable to the Lawes.

OLIVER P.⁷⁵

II. THE PARLIAMENTARY ELECTIONS, SPAIN AND SCOTLAND

Amid the various negotiations with foreign powers and preparations for new adventures overseas there had gone on the business of arranging for elections to the new Parliament which had been called for September. By the third week in June the plans for the electorate had not only been laid but constituencies had been notified, so that on June 27 and again on July 6 some of the choices of Parliament men were made, though the general election was set for July 12. On July 18 a partial list of the returns was published in the newsbooks, followed by a supplementary list from the more remote districts on July 26. From these, from the list of the Long Parliament and from the ship-money figures and later assessments, it is possible to gain some notion of the principles which underlay this new representative system; to compare it with the older arrange-

⁷² *Ibid.*, ff. 100-1.

⁷³ *Perf. Diurn.*, July 26. Letter July 28/Aug. 7 in *Verbael*, p. 524. *Cal. S. P. Ven.* (1653-4), p. 245, footnote says mistakenly this was Lagerfeldt.

⁷⁴ *Rawl. MSS.*, A 328, f. 103.

⁷⁵ Pr. in *Royalist Composition Papers* ed. Stanning, i, 65-7; cp. *Cal. Comm. for Compounding*, p. 682.

ments; and to arrive at some conception of the political situation of the country and incidentally of the designs of the revolutionary party with respect to it.

Parliamentary reform even in 1654 was not entirely a new proposal, for at various times and under various conditions it had been suggested in previous years. The existing system had been largely developed and crystallized in the preceding century under the Tudors and had been changed little if at all under the first two Stuarts. It rested in the main on three principles — wealth and population, which in general bore, as always, a close relation to each other; the necessities of defence, which fell largely on the seaboard districts especially those between the Severn and the Thames; and the desire of the Tudor monarchy to control as many seats as possible, which worked to the advantage especially of the southwestern counties, particularly Cornwall. To this must be added certain other considerations. The first is that, despite the increase of capital in trade and shipping, in manufactures, especially of woollens, and in mining and iron-working, the bulk of England's wealth, as of her population, still lay in the land. It is true that to this there were exceptions, notably in the centers of trade and industry, like Norwich, Bristol and especially London. It is also true that the capital carried weight even out of proportion to its size, partly by virtue of the fact that it was a reservoir of wealth and partly because it was the seat of government upon which, on occasion, its population could exert direct pressure in times of stress and strain as in the years preceding the civil wars. The second consideration was the fact that owing to the English system of representation by which it was not necessary for a Parliament man to live in the constituency which he represented, Londoners and others like them were able to find wider representation than their own constituency afforded. The third consideration was the fact that at all times the government had exerted a certain amount of influence in parliamentary elections when it seemed necessary to those in authority.

How, then, did the Protectoral authorities approach this problem and what was their solution? The first and most obvious step was the inclusion of Scotland and Ireland in the new system. The second was the adoption of the principle of increasing county representation at the expense of that of the boroughs, especially of those small, close corporations which were the chief source of government strength in earlier years and which came to be known in time as "rotten" or "pocket" boroughs, controlled by individuals or small groups of electors and subject to personal or governmental influence. To assist in the creation of a new electorate, those to whom the task was committed had before them three guides — the old system of representation; the scheme provided by the *Agreement of the People*; and the Ship Money and assessment lists, which gave them some idea of wealth and population. From these was formed a new

electoral system, provided for in the *Instrument of Government*, which was followed in every detail.⁷⁶

In general, except where it was affected by historical or political influences, the representation in the older Parliaments had been more or less closely related to wealth and population; but certain counties, like Cornwall, Hampshire, Sussex and Wiltshire, were over-represented; certain others, like Essex and Kent, under-represented; while still others, though in less degree than the more flagrant examples, did not follow the rule very closely. It was the purpose of the new system to correct these inequalities, but in view of the long continuance of the old system and various other elements involved, it was not possible to reduce the over-represented or increase the under-represented to the full amount that a perfect proportion would require. It seems evident, however, that, making allowance for all these considerations, the new arrangement followed the assessments with tolerable accuracy. Roughly the number of representatives from each county may be arrived at by dividing the assessment by about two hundred pounds, as it can also be reached by dividing the 1652 assessment by three hundred pounds. This is in sharp contrast to the representation as revealed by the Ship-Money figures, where, to take two extreme examples, Cornwall's assessment was 125 times its representation and that of Essex a thousand times the number of its members, while the general average was between four and four hundred and fifty pounds to each representative. Some small adjustment in taxation may be seen by comparing the Ship-Money figures with those of later assessments, and it is evident that Essex, Kent, Norfolk and Suffolk were still under-represented and the northern counties in some degree over-represented. But in general the system seems to modern eyes more equitable than the old.

This is the more remarkable in that it might well be supposed that the authorities of the Protectorate would have favored those counties most friendly to their cause and reduce Royalist districts to impotence. This they might well have done had it not been for other considerations. The first was the division within the revolutionary party itself. Those counties which had stood most staunchly behind the revolutionary movement were not seldom the districts in which the Republicans were the strongest and which might return members as much or more opposed to the Protectorate than the Royalist strongholds. The second was that this new system was intended to be permanent and to endure long after the Royalist party as such was extinct. The third was that under the *Instrument of Government* no persons who had "aided, advised, assisted, or

⁷⁶ The number of representatives for each constituency is printed, with the *Instrument*, in *Merc. Pol.*, Jan. 5-12, 1654. It is apparent from all this, if we had no other evidence, that the average of taxation had gone up since the days of the Ship-Money assessment.

abetted in any war against the Parliament" since January 1, 1641, unless they had since recanted and served Parliament, should either vote or serve as member of Parliament, and that the elections should be under the direction of the sheriffs who were, of course, appointed by the central government. This was a safeguard against the Royalist-Anglicans. Against Republicans or Presbyterians there could be no such drastic disabling provision, but it could be assumed that they would at least be balanced by safe men with the support of the administration. In any event something had to be left to chance, and besides that the Council had the right to pass on the eligibility of all members to sit in Parliament.

Under such conditions it seemed that the Protector had little to fear from a hostile House, yet the opinion was widespread that most of the men elected would be opposed to him.⁷⁷ The election was what might have been expected. There were the usual charges of intimidation, coercion and trickery made against the election officials, of violence and undue influence on their part and on that of their opponents. Petitions were sent to the Council of State by defeated candidates to protest the Royalist sympathies of their more fortunate rivals, the vicious character of others, and in one case the seduction of the electors by a successful candidate's "glossing speech of self-praise."⁷⁸ But save in a few instances, like that of Sir John Price who had sat in Charles I's Oxford Parliament, and John Wildman, the old Leveller, the men chosen were permitted to sit on condition that they signed the "Recognition" prescribed by the *Instrument* and their indentures. That was a simple statement to the effect that they agreed to support government by Parliament and "a single person," which even Royalists found no difficulty in accepting, whatever their reservations as to the character of that person. None the less some 150 men had not signed the required test by October 12, though two days later only about thirty held out,⁷⁹ which seems to indicate that the elections were, on the whole, fairly held, that there was widespread opposition to the Protectorate, and that the provision for approval of members by the Council was necessary if a favorable body was to be secured.

Thus chosen, the first Protectorate Parliament lacked part of the membership allotted to it by the *Instrument*, and of the men elected no small number was opposed to the government which summoned them. In general, if one may judge by the appearance of their names on the committee lists, even these men were not only permitted to sit but they attended and took an active part in the proceedings. There were some

⁷⁷ Thurloe, ii, 415.

⁷⁸ Nearly all the petitions to the Council calendared in the State Papers (*Cal. S. P. Dom.* (1654), *passim*) complain of the election of Royalists, but elections made irregular by the activities of government sympathizers were probably regarded as hopeless of correction.

⁷⁹ *Merc. Pol.*, Oct. 5-12; Thurloe to Pell, Oct. 27, Vaughan, *Cromwell*, i, 71.

Republicans chosen, of which at least one — Haselrig — expressed himself "in great straits whether to act in Parliament or keep out,"⁸⁰ but he appeared as one of the most active members until the signature of the "Recognition" was required, when he withdrew. In the first plan 400 seats were allotted to England and Wales, thirty each to Scotland and Ireland; but the whole 460 never appeared in spite of the fact that eighteen new writs were ordered to be issued in October and there appear in the House *Journals* the names of sixteen men whose elections do not seem to be recorded. Whitelocke declares that in five Scottish constituencies no one fit to serve could be found.⁸¹ They were possibly the five sheriffdoms in the north where elections could not be held, and there were two borough constituencies in that region which returned no members for the same reasons. Why Roxburgh and Ayr-Renfrew were not represented does not appear, but it is evident that for one reason or another — Royalism, Presbyterianism, general opposition to the English government, or open rebellion — Scotland lacked nearly a third of its quota.

Only 431 names of members can be found in the lists of this Parliament and it would seem that of these some 121 never took their seats, although of these some two-thirds had been passed as acceptable by the Commissioners of Ejectors appointed by the Council in August. Yet, taken all in all, in view of the peculiar circumstances, of the opposition to the Protectorate, and of the Council's veto power, the new Parliament was apparently a better and more representative body than might have been expected. It seems to testify to Cromwell's effort to secure support for his authority at almost any price or risk. It would have seemed the most elementary principle of political prudence that he and his Council should study the list of members with care and exclude the most dangerous elements and no doubt that was done in the weeks between its election and its meeting though it would appear that only five or six were finally excluded. But irrespective of the constitution of the new Parliament, the revolutionary government could still rely on the army, and armed supremacy was a convincing reply to any argument which Parliament men could advance, as had been proved before.

Meanwhile there were other matters to be attended to besides clearing up the details of the missions from foreign powers and conducting an election. Having signed on July 27 an order to the Commissioners of Customs to permit the goods of the Hanse agent, Joachim Petersen, to depart customs free on a Hamburg ship before Petersen himself embarked, and issuing a passport for one of the members of the Oldenburg

⁸⁰ *Cal. S. P. Dom.* (1654), p. 286.

⁸¹ Whitelocke, p. 581, and see *Perf. Diurn.*, Aug. 23.

mission, a certain Otta Philip Campsen,⁸² the Protector's greater concern for the moment was Monk's campaign in Scotland, of which that commander had kept the Protector fully advised. On July 29 Monk sent an account of the six weeks' campaign in the Highlands beginning on June 9 and ending with Middleton's defeat on July 29; and on that day Cromwell wrote Monk a letter of which only a note of its contents survives, though even that fragment reveals the close supervision the Protector maintained over the operations:

To General Monk

[Substance only]

Asking for a report on certain phases of the situation in Scotland. What is being done about securing the coasts about Inverness? Where are the papers of Middleton which were taken by Colonel Morgan? Enclosing a letter to Morgan.

July 29, 1654.⁸³

To this Monk replied that affairs were in good order but money was needed; that two frigates were guarding Inverness but twelve ships were required to patrol the Scotch coasts. Middleton's papers, he added, had not arrived but would be sent to England as soon as they came in. The garrison at Lochaber, he believed, should be continued, and Colonel Morgan was very desirous of being relieved.⁸⁴ That was not surprising for on that capable and efficient officer had fallen the chief burden of the difficult campaign against Middleton which for the moment had ended with the latter's defeat at Lochgarry. The rebellion was not yet completely suppressed but the backbone of resistance was broken and Morgan doubtless believed that he was entitled to some relaxation of his efforts. That relaxation could not have been long for he remained as Monk's second in command with the rank of major-general until he was called to greater enterprises on the Continent by the Protector.

So far as the money demanded by Monk was concerned, the government was now in a better position to meet his request. On the last week of July the newsbooks reported the arrival in London of two Dutch ships laden with £70,000 worth of silver, sent, it was said, to discharge the debt due from Denmark for losses sustained by the English in the Sound.⁸⁵ Part of the Danish indebtedness, some £10,000, according to the report of the "sentence of arbitration," had already been paid,⁸⁶ and if the newsbooks were correctly informed, the newly-arrived silver, which was consigned to the Dutch ambassadors, was to pay the re-

⁸² *Rawl. MSS.*, A 328, f. 102-3.

⁸³ Derived from Monk's reply of Aug. 5, in *Thurloe*, ii, 526-7.

⁸⁴ *Ibid.*; and cp. Monk's letter of Aug. 21 in *ibid.*, p. 555. Most of Monk's reports are in Firth, *Scotland and the Protectorate*.

⁸⁵ *Merc. Pol.*, July 27-Aug. 3; *Perf. Diurn.*, July 29; see *Verbael*, p. 527.

⁸⁶ *Ibid.*, p. 534; and see report of arbitrators, Appendix I(1b) of this volume.

mainder of the Danish indemnity, whose total was set by the arbitrators in their report of July 31 at £97,973/-⁸⁷ 10.⁸⁷ The silver was sent at once to the Tower where it was to be coined and delivered on demand to the Dutch ambassadors, as the Protector's orders in regard to it indicate:

To the Commissioners for the Customs

OLIVER P.

Whereas two ships of war belonging to the Lords the States General of the United Provinces of the Netherlands, the name of the one being DeBraek and the other DeJager under the command of Captain Cramer and Captain Wardenburgh, are come into the Port of London laden with silver, goods, and other things, for the use of their Excellencies the Lords Ambassadors from the States General now residing here: These are to will and require you that you permit and suffer the said silver, goods, and other things aforesaid aboard the said ships to be unloaden and disposed of for the use aforesaid without payment of any duties whatsoever, and without any search or other your lets, hindrances, or molestations. Of which you are not to fail, and for which this shall be your warrant.

Given at Whitehall this 29th of July 1654.⁸⁸

To Our Trusty and Wellbeloved John Barkstead, Esq., Lieutenant of Our Tower of London

OLIVER P.

There being two ships of war, the one of them called De Brake, and the other DeJager (commanders Captain Creamer and Captain Wardenburgh) laden (amongst other things) with silver plate, bullion, rix dollars and other coin, belonging to the Lords the States General of the United Provinces of the Netherlands, lately come from those parts, and arrived in Our Port of London. And the Lords Ambassadors of the said States General here resident having desired that for the safe-keeping of the aforesaid silver plate, bullion, rix dollars and other coin to their use, We would permit the same to be laid up in our Tower of London: These are therefore to will and require you, that you forthwith see the said silver plate, bullion, rix dollars, and other coin so laden aboard the said ships to be truly numbered and weighed. And being so done that you receive the same into your charge, and custody and cause to be laid up in some safe and convenient place within our said Tower of London, and delivered to the said Lords Ambassadors, or whomsoever they shall appoint to receive the same, whensoever they shall think fit. And for so doing this shall be your warrant.

Given at Whitehall this 31st of July 1654.⁸⁹

A week later the Protector appointed Sir Thomas Viner, the London goldsmith-banker so closely identified with the financial operations of

⁸⁷ Statement to the Protector and to the States General, July 30, 1654, in *Verbael*, pp. 529-34; and see Appendix I(1b).

⁸⁸ *Rawl. MSS.*, A 328, f. 104.

⁸⁹ *Ibid.*, f. 105.

the Commonwealth and Protectorate, to receive the money.⁹⁰ The Dutch ambassadors personally and formally notified the Protector of the arrival of the silver, taking occasion to congratulate him on Middleton's defeat in the Highlands,⁹¹ and with this ended the question of the Danish indemnity. From that Cromwell turned again to questions connected with the Scottish campaign. There, among his other duties, Monk had been dealing with the problem of prisoners. In May and again in July he had received orders from Cromwell for transportation of some of them to Barbados and had collected the specified numbers. They were naturally unwilling to go; they even boasted that they hoped to come back almost if not quite by return ship; and Monk, hearing of this, suggested to Oliver that the governor of Barbados be instructed to prevent their escape,⁹² but though the Protector at this moment reappointed Searle as governor, it does not appear from the commission that he took Monk's advice:

Patent for Daniel Searle, governor of Barbadoes

For continuing Daniel Searle in the government of Barbadoes for the term of three years from date. Confirming unto the council and assembly of free-holders of the island their former and ancient privilege for the election of free-holders, as the representative of the island, to give their consents in making such constitutions, ordinances, and by-laws (not repugnant to the laws of the Commonwealth) as may be thought fit for the good and well-being of the colony.⁹³

Westminster, July 31, 1654.

With these matters went a mass of greater and lesser business. On August 1 and 3 the Protector signed orders to permit the French ambassador to bring in horses from Holland and the Portuguese ambassador to take horses out of England.⁹⁴ At the same time he referred a petition from the Doctors of Civil Law to a committee of members of the Council together with Justice Hale, Serjeants Glyn and Vaughan, to draft laws for the encouragement of the legal profession.⁹⁵ On the 4th he signed a warrant to Frost for payment to William Clarke, for many

⁹⁰ See August 8.

⁹¹ *Perf. Diurn.*, Aug. 2; *Verbael*, pp. 528-9.

⁹² Monk to Cromwell, Aug. 1, 1654, in Firth, *Scotland and the Protectorate*, pp. 153-4. On August 9 Captain Howard appealed to Cromwell to permit some Scots to come under his protection under promise of good behavior, Thurloe, ii, 533.

⁹³ Searle's letter to Cromwell, June 1, 1655, in *ibid.*, iii, 499-500. A general attitude of cheerful obedience to Cromwell prevails. The fleet has departed. When Gen. Venables was there he took over the military authority of the island, leaving Searle only civil authority. This renders all power given him as governor void and has occasioned debates and disputes in the General Assembly.

⁹⁴ *Rawl. MSS.*, A 328, f. 106.

⁹⁵ *Ibid.*, f. 108.

years Monk's secretary, now Doctor of Laws, of £66/13/4 for his salary for four months as Advocate of the Commonwealth,⁹⁶ and on the same day a pass for Colonel William Fitzgerald to go to Ireland.⁹⁷ More important than these, he also directed on this same 4th of August another letter in regard to the question of the reimbursement of the undertakers for transporting Irish to Flanders, a matter in which the governor of the Spanish Netherlands seems to have been particularly remiss:

Oliver, Protector of the Commonwealth of England, Scotland and Ireland &c.
To the most Serene Prince Leopold William, Archduke of Austria, Governor
and Captain-General of the Low Countries and Burgundy, Greeting.

Most Serene Prince,

It hath been represented to us in a petition by Lucas Luce, a subject of this Commonwealth, not only in his own behalf and name, but in that of Francis Owens, that he entered into a contract with your highness in the month of May 1653 for transporting three thousand Irish from Ireland into Flanders for the use of the King of the Spanish Dominions, to be paid for at eighteen crowns per head. The whole of this was to be paid within twelve days after the landing of those who were taken over in the first crossing. The said Luce and Owens according to the aforementioned contract and agreement landed one thousand three hundred and nine at Dunkirk and reviewed the same number there. This operation involved them in many dangers and expenses, and therefore their promptness was all the more to be recompensed by your Highness, for they took on themselves to perform that which was for the service of the Spanish Dominions and the promotion of your interests and they kept their contract without shortcoming. Wherefore the aforesaid contractors, after no light exertion and great expenses put out for your affairs, now that those responsibilities that they had taken on themselves have been discharged, demand rightly and fairly that they enjoy the benefit complete and with accomplishment of the recompense agreed upon on your part. Yet up to the present time, nothing, in fact, as we have learned, has been performed in the nature of satisfaction and compensation according to the aforesaid agreement, although in their right of reimbursing themselves they have made great additional expenditures and have waited a long time. After your highness hath learned this from our letters we have no doubt that you will see to it effectually forthwith that the said petitioners be justly satisfied and that the moneys agreed and settled upon be faithfully paid and discharged to them. This will be proof to them of your fairness and justice and to Us of your favorable good-will and kindly spirit. In all else we pray for prosperous and long-continued security for your Highness.

From White Hall in Westminster
the fourth day of August O.S. year 1654

Your good friend,
OLIVER P.⁹⁸

⁹⁶ *Ibid.*, ff. 108-9.

⁹⁷ *Ibid.*, f. 107.

⁹⁸ Trans. of copy in *ibid.*, A 261, ff. 12v-13, pr. *infra*, App. II (13).

Even the arrangements for transporting Scottish prisoners to the plantations and the collection of the sums due for transporting Irish to the Spanish service in the Netherlands, however, yielded in importance to another matter which at this moment produced a series of documents. Blake was on the point of going to the Downs to join his fleet and so to Plymouth to fit it for the Mediterranean expedition. In connection with this important expedition, letters were prepared to be sent to all the powers into whose ports the Admiral was likely to enter. Of these there were eight — Portugal, Spain, Genoa, Tuscany, Savoy, Sardinia, Sicily and Naples — and to the rulers of each of these were addressed letters which save for the superscription were identical. Of them the letter to the King of Spain may serve as an example:⁹⁹

Oliver, Protector of the Commonwealth of England, Scotland, and Ireland, etc.
To the most Serene and Potent King, Philip IV, King of Spain, etc.

Most Serene and Potent King,

As the safety and protection of the trade and navigation of the people of this Commonwealth impose on us the necessity of sending a fleet of ships of war into the Mediterranean, we think it right to inform your Majesty of the same. We do this with no intention to cause any damage to any of our allies and friends, [among] whom we reckon your Majesty. On the contrary, we enjoin our general, Robert Blake, whom we have appointed to command this fleet, to conduct himself towards them with all possible respect and friendship. We have no doubt that, in return, whenever our fleet may enter your ports and harbors, either to purchase provisions, or for any other purpose, it will be received with all possible good offices. This is what, by this present letter, we demand of your Majesty. We beg you to repose full confidence in our said general, whenever, by letter or otherwise, he may address either your Majesty, or your governors and ministers, in the places where he may find it necessary to touch. May God keep and protect your Majesty!

Your good friend,

Whitehall,
Aug. 5, 1654.

OLIVER P.¹⁰⁰

On August 2 there had been held two Council meetings, both of which the Protector attended. They had to do with business of considerable importance apart from the questions of transporting of Scotch and Irish and the preparations for Blake's expedition. In pursuance of the

⁹⁹ Copy of the letter to Spain is in *Rawl. MSS.*, A 261, ff. 15v-16 and is followed by notes that letters *mutatis mutandis* were written to the other powers noted. The letter to Genoa was printed in an article by J. T. Bent, "Oliver Cromwell and Genoa," in *The Antiquary*, iv, 154-5. See also *Atti della Soc. Ligure di St. Patria*, xvi, 207-8, from the original in Genoa.

¹⁰⁰ Guizot, *Cromwell*, ii, 176-7, trans. from Latin original in Archives of Simancas, pr. in *ibid.*, pp. 411-2; contemp. copy in *Rawl. MSS.*, A 261, ff. 15v-16; cp. also *ibid.*, ff. 16-16v..

recent ordinance for bringing all public revenues into one Treasury, Cromwell nominated as Treasury Commissioners Whitelocke, Widdrington, Lisle, Rolle, St. John, Montagu, Sydenham and Masham,¹⁰¹ and on the next day letters patent for these appointments were passed under the Great Seal.¹⁰² For the moment the negotiations between Bordeaux and the English commissioners had come to an abrupt conclusion. The latter had promised to bring the Protector's answer to the French proposals to Bordeaux within two days, but when eight days had passed without any word, the French envoy began to wonder if Oliver were not awaiting the outcome of the siege of Arras¹⁰³ by the French in the struggle between Condé and Turenne in the so-called war of the Spanish Fronde. On July 25, however, the Spaniards were defeated at Arras, and whether there was any connection with that event or not, on August 7 the Commissioners gave Bordeaux a definite promise that the Protector would make up his mind before the convening of Parliament¹⁰⁴ and with that the French ambassador was forced to be content. It seems evident that Oliver still awaited the result of the Franco-Spanish struggle in the Low Countries before coming to any decision, but it is equally evident that he did not propose to break off negotiations with the French, and it is amusing, though not, perhaps, important to note that on this same August 7 he signed a passport for five members of the French embassy and "one and forty couple of dogs."¹⁰⁵ From this he turned again to the vexed question of the Irish recruits for the Spanish armies, whose transportation charges were still unpaid:

Oliver, Protector of the Commonwealth of England, Scotland, Ireland &c.
To the most Serene and Powerful Prince, Philip IV King of the Spanish
Dominions &c. Greeting.

Most Serene King,

Again complaints have been brought to us about the agreements for the transportation of the Irish not having been duly discharged. This occasion for disturbing your Majesty so many times on this subject of correspondence is perhaps no more troublesome to you than unpleasant for us. Assuredly we should much prefer that by fitly carrying out and complying with those things that each side covenanted all occasion for complaints should be ended, and the matter should proceed equitably, and there should be no need for further resort to letters. On the twenty-fourth of last July we sent letters to your Majesty concerning the agreement made with Commander [Colonel] Mayo about transporting three thousand Irish at a fixed price. Since then it has only now been represented to us in a petition by Commander [Major] George

¹⁰¹ *Cal. S. P. Dom.* (1654), p. 284; *Perf. Diurn.*, Aug. 4.

¹⁰² In list of books from the Pell Office, pr. in 4th Rept. *Deputy Keeper of Pub. Records*, App. II, pp. 189-198.

¹⁰³ Bordeaux to Chanut, Aug. 4/14, Thurloe, ii, 523.

¹⁰⁴ Bordeaux to his father, *ibid.*, ii, 528.

¹⁰⁵ In *Rawb. MSS.*, A 328, f. 109.

Walters, one of our army in Ireland, that he, under definite conditions agreed upon with your Majesty, in the years 1652 and 1653, transported ten thousand Irish soldiers. Wherefore no slight sum of money, in accordance with the aforesaid conditions, is due him; and unless this is discharged in good faith, he has put out so many and so great expenditures on this undertaking that both he himself and many of his relations with him hold the wreck of all their fortunes in consequence inevitable. But your justice and notable fairness will not suffer that those who for the promotion of your interests, since the soldiers transported were enlisted in your military service, have undergone such a number of expenses (indisputably influenced by the conditions agreed upon) should not enjoy the benefit of them in fairness and Justice. Wherefore we earnestly request your Majesty that you may be pleased to exercise your authority and your special Mandate in this matter in order that the said petitioner may be satisfied fully and without delay, according to the Agreement previously made. This will be honorable to you, pleasing to us, and will hold us bound to similar offices of liberality and good-will. As to all else we heartily pray for prosperous and lasting security for your Majesty.

Given: from White Hall in Westminster
the eighth day of August O.S. in the year 1654

Your good friend,
OLIVER P.¹⁰⁶

On that same day Cromwell signed a paper naming the banker, Sir Thomas Viner, as receiver for money to be paid by the Dutch on the Danish account:

OLIVER P.

To all unto whom this present writing shall come, or may concern, Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereto belonging, send greeting. Whereas in and by the 28th Article of the Peace lately made and concluded betwixt his Highness the said Lord Protector on the one part, and the Lords the States General of the United Provinces of the Netherlands of the other part, and in by certain Instruments of his Highness the said Lord Protector and of the said Lords the States General respectively bearing date the 19th and 22nd of April last, full power and authority is given unto Edward Winslow, James Russell, John Beex, and William Van der Cruyssen, Arbitrators, Commissioners and absolute judges indifferently chosen to determine, arbitrate and finally adjudge, and to liquidate, assess and tax the damages sustained by the merchants, masters owners and interested in all or any ships, vessels, tackle, apparel, furniture, provision, wares, goods, and other things whatsoever at any time arrested or detained within any of the territories or dominions of the King of Denmark since the 18th of May 1652, whereof mention is made in the bills of the merchants exhibited in March 1653/4, and pertaining consigned, or belonging unto any of the people of the Commonwealth of England, Scotland and Ireland, or the Dominions thereto belonging: The said Lords the States General by the said Article and their said Instrument binding and obliging themselves to pay such sum of money here at London as should be so adjudged to be paid, for the use of the respective owners, unto such person and persons as

¹⁰⁶ Trans. of copy in *ibid.*, A 261, ff. 13-13v, pr. *infra*, App. II (14).

his Highness the said Lord Protector shall nominate within twenty-five days after such adjudication made. And whereas the said Edward Winslow, James Russell, John Beccz and William Van der Cruyssen according to the said power and authority to them given in and by the said Article, and Instruments and in full accomplishment thereof, have by their writing or Instrument published under their hands, and seals bearing date the 31st day of July last determined, arbitrated and finally adjudged that the said damages do amount unto and have liquidated, assessed and taxed the said damages unto ninety seven thousand, nine hundred, seventy three pounds and ten pence of lawful English money, upon which last mentioned Instrument or award of the 31st of July last, there is endorsed by the said arbitrators the receipt of tenn thousand pounds in part of the 97973^l 00^s 10^d. As in and by the said Article, and on several Instruments and writing with the Endorsement, relation being respectively had, more at large it may, and doth appear. Now know ye by these presents that his Highness the said Lord Protector hath nominated and by these presents do nominate Sir Thomas Viner Knt., Lord Mayor of the City of London, to be the person to receive and to whom the said Lords the States General shall pay the remaining sum of eighty seven thousand, nine hundred seventy-three pounds, and ten pence of lawful English money for the use of the respective owners within twenty-five days after the said adjudication. And it is his Highness the said Lord Protector's pleasure that the said Lord Mayor do and shall from time to time dispose of the said sum of eighty seven thousand nine hundred, seventy-three pounds and ten pence and of every part thereof unto the said owners respectively, and in such proportions as the said Edward Winslow and James Russell shall under their hands and seals nominate, and appoint. And that such disposition or payments so to be made together with the acquittances of such owners respectively or of their assigns shall be sufficient discharges unto the said Lord Mayor in that behalf to all intents and purposes whatsoever. In witness whereof his Highness hath here unto set his hand and seal manual the 8th day of August in the year of our Lord according to the computation used in England, one thousand, six hundred fifty and four.¹⁰⁷

Cromwell was at the Council meeting that morning where besides voting to increase the pay of his life-guard, then consisting of forty-five men in addition to officers, it was decided to investigate bills for various tapestries, Turkey carpets and hangings and to order Lenthall and Blake to turn over to the Protector some furniture from Stirling Castle and tapestries from Somerset House.¹⁰⁸ Oliver also approved that day an ordinance for better support of universities in Scotland and the encouragement of public preachers there.¹⁰⁹ It provided for appointment of

¹⁰⁷ Rawl. MSS., A 328, ff. 125-7.

¹⁰⁸ Cal. S. P. Dom. (1654), pp. 290-1. The bill was for £1073, most of which was ordered paid on Aug. 29. *Ibid.*, p. 338.

¹⁰⁹ *Ibid.*, pp. 288, 290. *Merc. Pol.*, Aug. 3-10. Ordinance not printed until Oct. 1655. It is in John Nicoll's *Diary*, ed. D. Laing (Edinb., 1836), p. 164, and *Acts of Parliament of Scotland*, vi, pt. ii (Edinb., 1872), 831. At Cromwell's

"Triers" in Scotland to certify that a man admitted to a living was "a person of holy and blameless conversation, disposed to live peaceably under the present government¹¹⁰ and who for the grace of God in him and his knowledge and utterance is able and fit to preach the Gospel." Universities were granted church lands and other privileges.¹¹¹ In addition to this care for the minds and souls of the Scotch, it appears that some time in this year the Protector also paid to the University of Glasgow a sum of £200 subscribed to the building fund of that institution just thirty years before by Charles I but not paid until now for perhaps obvious reasons.¹¹²

With these went the usual grist of routine business. On August 9 the Protector signed three passports. The first was for Elizabeth, Christopher and Mary Hatton, the wife, son and daughter of Lord Hatton,¹¹³ sometime comptroller of the royal household, long exiled in France, and an active intriguer in favor of monarchy. This devoted Royalist who had only given up his intrigues when he found that they were likely to lead to the sequestration of his estates in England, thanked God that a mistake in a letter which described his health as precarious moved the Protector to allow his family to join him. He regarded the escape of his son, in particular, as a miracle, for, as he wrote, that son had been "as deep . . . in the discreeter designe in England as any particupar [sic]" and had been the bedfellow of one of the plotters who had been arrested.¹¹⁴ Little as the old lord would have liked it, this permission for his family to join him may have been as much a tribute to his harmlessness as to the Protector's clemency toward the Royalists whom his enemies said, with truth, he was anxious to draw to his support. The second passport was for two boys, Francis and William Hungate,¹¹⁵ who were, perhaps, to travel with the Hattons. The third was for a certain Francis Bailliaert, who had brought the letter from Zealand to the Protector.¹¹⁶

These documents were accompanied by others relating to the recent plots and disturbances. On August 9 one John Lay of Grub Street was arrested on the charge of having said he planned to deliver a petition to the Protector and stab him as he received it.¹¹⁷ On that same day the

request the Council on June 1 ordered £200 a year paid to John Stalham and John Collins sent to Scotland "to dispense the Gospel." *Cal. S. P. Dom.* (1654), p. 195.

¹¹⁰ This phrase is not in the Ordinance for English Triers. Universal opposition prevented the ordinance from being put into execution.

¹¹¹ James Coutts, *Hist. of the Univ. of Glasgow* (1909), p. 134.

¹¹² *Ibid.*, pp. 113, 130.

¹¹³ *Rawl. MSS.*, A 328, f. 110.

¹¹⁴ Lord Hatton to Nicholas, Oct. 16, 1654, *Nicholas Papers*, ii, 99.

¹¹⁵ *Rawl. MSS.*, A 328, f. 110.

¹¹⁶ *Ibid.*, f. 111.

¹¹⁷ *Sev. Proc.*, Aug. 9.

Protector signed an order for the release on parole of a tailor who claimed he had been implicated in the recent plot simply because some malicious person had addressed an incriminating letter to him.¹¹⁸

*To John Barkstead, Esq., Lieutenant of the Tower of Our City of London
OLIVER P.*

These are to will and require you to discharge and set at liberty the body of Alexander Blaire now a prisoner in the Tower of Our City of London. You taking good and sufficient security that the said Alexander Blaire shall appear before the Council at Whitehall within three days after summons in that behalf and that he shall act nothing any way prejudicial to the State. And for so doing this shall be your warrant.

Given at Whitehall this 9th of August 1654.¹¹⁹

Besides this, on that same day, he signed two other documents, each in its way of some small importance in connection with the diplomatic situation, though neither of them affected it directly. The first was an order to the Attorney-General to prepare a pardon for the well-known Nonconformist physician of King Street, Covent Garden, Dr. John Baber, who had given sanctuary to Dom Pantaleon Sa after the affray in the New Exchange. The second was an order to Governor Searle of Barbados for the release of certain French gentlemen who had been driven to that island by stress of weather and held there:

To Our Trusty and Wellbeloved Edmond Prideaux Esq., Our Attorney General or William Ellis, Esq. Our Solicitor General

OLIVER P.

Whereas Dom Pantaleon de Sa Menetius of the Kingdom of Portugal late prisoner in Our Gaol of Newgate concerning the murder of one Harcourt Greenaway, Gent. at the New Exchange in Our County of Middlesex; shortly after his first commitment to the said gaol, escaped thence, and upon pursuit after him was found and taken at the dwelling house of John Baber, Doctor in Physick in Covent Garden in Our said County of Middlesex, who thereupon was and yet is and stands impeached of felony, for being accessory unto and aiding and abetting the said escape and for relieving and harbouring the said prisoner after his said escape. Which said Dom Pantaleon De Sa Menetius being so taken as aforesaid and indicted of the said murder, was afterwards convicted condemned and executed of and for the same. And whereas the said John Baber having acknowledged his said offence in the premisses and humbly besought Us for our gracious pardon unto him of the same, and of all felonies, trespasses, indictments and proceedings whatsoever against him of, and concerning the premisses, Our will and pleasure therefore is that you forthwith prepare for Our signature a bill containing Our gracious pardon unto him accordingly. And for so doing this shall be your sufficient warrant.

Given at Whitehall the 9th day of August 1654.¹²⁰

¹¹⁸ *Cal. S. P. Dom.* (1654), p. 288.

¹¹⁹ *Rawl. MSS.*, A 328, f. 111.

¹²⁰ *Ibid.*, ff. 115-6. Cromwell signed another order to Prideaux that day to

To satisfy Bordeaux, Cromwell also signed a letter to Barbados:

For Mr. Searle Governor of the Barbadoes

Sir,

The Lord Bourdeaux Extraordinary Ambassador of the French King now residing here, hath informed Us that certain French gentlemen bound into the parts of America were by distress of weather cast upon the Island of Barbadoes, and are now kept in restraint there by you, and hath desired our letters to you for their discharge, and enlargement in respect they had no design against the Commonwealth, nor did anything contrary to the laws. These are therefore to signify to you that in case any such persons be in your custody that you set them at liberty, and not only use them with favour, and respect, but give them all reasonable assistance for their transportation.

Your loving friend,

Whitehall

OLIVER P.¹²¹

9 Aug. 1654.

These days of early August, 1654, were prolific in such documents. On August 10 the Protector signed a warrant for the payment of a quarter's salary of £300 for Henry Lawrence, the President of the Council.¹²² On the next day he signed two orders to the Commissioners of the Customs and of the Excise to permit the landing of four bales of household stuff brought from Dieppe to Rye for the French ambassador, Bordeaux.¹²³ On August 14 he signed a warrant to Gualter Frost to pay the sum of £12/13/4 to Humphrey Holden and Edward Tyton for their expenses in bringing from Norwich the conspirator Thomas Tudor who had escaped early in June,¹²⁴ and on that same day he notified the officials of the Levant Company of the appointment of Richard Salwey, sometime member of the Council of State and an agent of the Commonwealth in Scotland and Ireland, as ambassador to Turkey. Salwey had previously been offered the mission to Sweden which White-locke undertook and he was now nominated for a post scarcely less difficult. It was the more important in that Major Richard Lawrence, the agent or *chargé d'affaires*, who had been ordered to take charge of English interests after the recall of the ambassador in Constantinople,¹²⁵ Sir Thomas Bendish, had been unable to accomplish anything in the Galilee case. It was hoped that Salwey, whose appointment the Levant

prepare a grant to John Copley of the exclusive right to make iron with pit-coal and other ingredients but the copybook has the notation opposite it: "Vacat quia postea intr." *Ibid.*, f. 121. Another order to have a grant prepared for Copley was signed on Nov. 7, 1654, *ibid.*, pp. 142-3.

¹²¹ *Ibid.*, A 261, f. 14. See Aug. 16.

¹²² *Ibid.*, A 328, ff. 113-4. A similar warrant of Nov. 23 is in *ibid.*, f. 151.

¹²³ *Ibid.*, f. 112.

¹²⁴ *Ibid.*, f. 115; see *supra*, p. 311.

¹²⁵ See Oct. 4, 1653.

Company approved, or perhaps even recommended, would be more successful, and the Company wrote to him on August 29 that the Protector had consented to his appointment,¹²⁶ but Salwey never went, and Bendish remained in Constantinople throughout the Protectorate.¹²⁷

To Our Trusty, and Wellbeloved the Governor and Company of Merchants Trading into the Levant Seas

Trustie and Welbeloved We greet you well:

We have understood that the late Parliament writ unto Sir Thomas Bendish to recall him from his residency as Ambassador at Constantinople, and signified the same by their letters to the Grand Seigneur, and Vizier which were sent by Mr. Lawrence who was authorized to remain there as Agent, or Caya, until some fit person could be sent in the quality of Ambassador, And whereas it is certified unto us as well from thence as by your late address to us concerning this business that the said Mr. Laurence is not yet received, and Sir Thomas Bendish being required to return home, your affairs there remain upon great incertainties, and may in a short time suffer much prejudice. We thereupon have resolved forthwith to dispatch away a person in the quality of Ambassador for the countenance and protection of your Trade, both for your own particular, and the general good of this Commonwealth. And to that purpose have elected and appointed Richard Salwey, Esq. to succeed, and remain our Ambassador in the Port of Constantinople of whose fidelity, and fitness for that employment we are well assured, and now confirmed by your recommendation of him. And we have given direction that our letters of credence to the Grand Seigneur, and grand Vizier be accordingly prepared for him, and what more is usual and needful shall be dispatched as you shall signify the same unto us. Given at Whitehall this 14th of August, 1654.

OLIVER P.¹²⁸

From such matters the Protector's attention was turned to one connected with the recent elections to Parliament. On August 15 he received a delegation of six gentlemen from Ely headed by Lieutenant-Colonel Francis Underwood, who had been charged by Cromwell nine years earlier to look to the defenses of the Isle and who had just been defeated by a certain George Glapthorne for membership in the new House. This delegation presented to his Highness a "representation" signed by nearly four hundred residents of the Isle of Ely and it is probable that it contained objections to Glapthorne, who, with Thurloe, had been returned in the late election.¹²⁹ The paper or petition was read by Thurloe and to it, as the *Perfect Diurnall* recorded, the Protector

¹²⁶ *Cal. S. P. Dom.* (1654), p. 340.

¹²⁷ *Ibid.* (1655-8), *passim*; cp. also A. C. Wood, *History of the Levant Company* (L., 1935), pp. 93-4 and App.

¹²⁸ Rawl. MSS., A 261, ff. 14-14v, with "Vacat" in the margin. Original in Salwey MSS., cal. in *Hist. MSS. Comm. Rept.* 10, App. IV, pp. 410-1; summarized in Lomas-Carlyle, Suppl. 90.

¹²⁹ See petition against Glapthorne in *Cal. S. P. Dom.* (1654), pp. 327, 336.

made a very excellent answer . . . shewing his gracious acceptance thereof, and his willingness to further their desires, To have men fearing God put into the Commission of the peace in all places, for the putting down Super-numerary Ale-houses and for the punishment of prophane Oaths, Sabbath-breaking and drunkenness, and the advancement and increase of Vertue and Piety, together with the rest of their desires, to the great joy and comfort of the Presenters.¹³⁰

If, as seems probable, the petition contained objections to the choice of Glapthorne for Parliament, it appears to have been at least partially successful, for he was one of the few who was not confirmed by the Council when Parliament met nor does he seem to have taken his seat, though Underwood seems equally to have failed of acceptance.¹³¹

On that same day Cromwell signed a warrant to Frost to pay Thurloe £600 for intelligence service,¹³² and on August 16 he signed a like order to pay Lislebone Long, Master of Requests, £166/6/8¹³³ for his quarterly salary, at the same time issuing an order to Prideaux to draw a bill for the appointment of one Thomas Noell to be secretary to the Governor and Council of Barbados:

To Our Trusty and Wellbeloved Edmond Prideaux, Esq., Our Attorney General, and William Ellys, Esq., Our Solicitor General, or either of them
OLIVER P.

Our pleasure is that you forthwith prepare for Our signature a bill containing our grant, constitution and appointment of Thomas Noell, Esq., to be principal secretary unto the Governor and Council of the Island or Islands of the Barbadoes in America jointly, or severally for the time being. To hold, exercise and enjoy the said office of principal secretary as aforesaid unto the said Thomas Noell by himself or his sufficient deputy, or deputies, with all preheminences, profits, advantages and emoluments thereunto incident, and lawfully belonging, during his life. And for so doing this shall be your warrant.

Given at Whitehall the 16th of August 1654.¹³⁴

The number of those who suffer financially in any great political upheaval is always great and not a few of them at this moment used every means at their command to gain Cromwell's sympathy. Among them was the Earl of Lothian who had turned Royalist after the King's death, had been a commissioner to invite Charles II to come to Scotland, but had not followed him to Worcester. His sister, Lady Elizabeth Kerr, was now in London enlisting the aid of the Protector's secretary Malyn

¹³⁰ *Perf. Diurn.*, Aug. 15.

¹³¹ List in *Merc. Pol.*, Aug. 31-Sept. 7; *C. J.*, vii, *passim*. Unlike most members of the Parliament, Glapthorne was not on the Committee of Ejectors.

¹³² *Rawl. MSS.*, A 328, f. 112.

¹³³ *Ibid.*, f. 114. See May 11.

¹³⁴ *Ibid.*, A 328, f. 114. Cp. *supra*. Noell had joined in the complaints against the Barbados Assembly.

to get a hearing for her brother's case. Some £500 was due him from the Scottish Parliament out of money paid them by the English Parliament for money advanced for the first civil war and £9,000 for money borrowed on the public faith to supply Charles on his coming to Scotland in 1650.¹⁸⁵ Besides this, Saltonstall, the Commissioner of Sequestrations, seems to have done him some injustice. In January, 1654, Malyn promised Lady Kerr that as soon as Cromwell was less pressed for time he would intercede for her¹⁸⁶ and on August 31 she wrote her brother that the Protector had signed an order for Lothian to receive his father's pension and another for Sir John Colquhoun and he hoped to arrange the debts:

*For the Commissioners Impowered to Moderate Fines
and Forfeited Securities in Scotland*

Gentlemen:

The enclosed petition being addressed to me after I had with the advice of my Council enabled and impowered you to take consideration of the fines imposed upon several persons of the Scottish nation by the Ordinance of Grace, and to give relief according as you should find the case to deserve it, as you will see by the powers themselves given on that behalf, I thought it not proper, or convenient to do anything here upon this particular case, but have herewith remitted and especially recommended the same to you, the person concerned therein having (as I am informed) ever since Scotland hath been under the English government carried himself very fairly, and inoffensively, besides that he hath in many things been very serviceable to our affairs there, and since his coming hither hath with great candor and ingenuity expressed his satisfaction to the present government, and his affections and readiness to the public service, which truly I think ought to have a just and fitting consideration for his benefit, and advantage, and this is that which I do again recommend unto you.

Your loving friend,
OLIVER P.¹⁸⁷

Whitehall,
16 Aug. 1654.

*For the Commissioners Impowered to Moderate Fines, and
Forfeited Securities in Scotland*

Gentlemen:

The addresses of Sir John Colhoun being made unto me since the powers I gave you, by the advice of my Council, to moderate fines imposed on several

¹⁸⁵ Lady Kerr to Lothian, Jan. 22, 1654, *Corresp. of Sir Robert Kerr . . . and his son William*, ed. D. Laing (Edinb. 1875), p. 381.

¹⁸⁶ Same to same, Aug. 31, [1654], *ibid.*, pp. 250-1. The letter is dated 1649 which is a mistake as Cromwell is spoken of as Protector and the Earl of Ancram was still alive, *ibid.*, p. 384. A few months later Malyn explained to Lothian that money due Ancram be used to pay his funeral charges instead of being sent to Lothian, *ibid.*, pp. 388-90. Lothian was still petitioning in 1656 for his "public faith" money, *Cal. S. P. Dom. (1655-6)*, pp. 20, 296.

¹⁸⁷ Rawl. MSS., A 261, f. 15.

OLIVER CROMWELL

persons in Scotland by the Ordinance of Grace, according as you shall find the case deserve it, I have upon information of his ready submission to the present government and in confidence of his future faithfulness, he having since his being here expressed great forwardness, and much affection to the public service, remitted him unto you, as a person I was willing might have the advantage of my recommendation. His condition during the late wars with Scotland (as it is stated in the enclosed petition) deserving a just, and fitting consideration, and which hath persuaded me to say thus much concerning him.

Your loving friend

OLIVER P.¹³⁸

Whitehall,
17 Aug. 1654

Another document signed that day was an order to have a lease drawn up for the mining of coal and minerals in New Forest where Richard Cromwell had newly acquired domain as Keeper:

To Edmond Prideaux, Esq. Our Attorney General

OLIVER P.

Whereas we have been informed that the digging of coals within the New Forest in the County of Southampton may much conduce to the good and benefit of the Commonwealth, and whereas Peter Priaulx, George Gregory and Joseph Denham, merchants, have proposed to search out, dig and vend such coals and other minerals as shall or may happen to be found within the said forest, for such part of the profits arising by the said mines as upon a lease to be thereof to them made shall during the said lease be reserved to Us, and our successors. And we being minded to entertain the proposals of the said Peter Priaulx, George Gregory and Joseph Denham touching the said mines, and to demise the same to them, and their assigns within part of the said forest, do hereby authorize and require Our Attorney General to prepare a bill fit for Our signature containing Our lease to the said Peter Priaulx, George Gregory and Joseph Denham, and their assigns for the term of thirty years to be accounted from the date of the said lease of all mines, coals and of all other mines and quarries of stone, slate, iron, lead, copper and other minerals whatsoever (mines of gold and silver only excepted) found out, and discovered, or to be found out, and discovered in any such part of the heath of the forest aforesaid as is compassed, or bounded about with the beacons commonly called Verney Beacons, otherwise Heath Beacons on the northwest heath, and Fawly on the north parte, and Bewly and Exbury on the southern part, and in any part of Bewly Heath bounded with Bewly rayles on the northeast part, Pilly Bayly on the southwest part, the Kings Standing on the northwest part, and Norleythornes on the southern part thereof (The said parts and places of the aforesaid forest within the bounds and limits before mentioned being all of them heath, ground and barren land) with power during the said term to enter into and upon the said forest and within all or any the parts and places thereof within the bounds aforesaid to dig and search for any mine or mines

¹³⁸ *Ibid.*, A 261, f. 15v. Sir John Colhoun or Colquhoun of Luss had been fined £2,000 by the Ordinance of Grace on April 12. Not only was his fine reduced but he was made J. P. for Dumbartonshire in 1656.

of coals, and for any mine or mines or quarries of stone, slate, iron, lead, copper or other minerals whatsoever (mines of gold and silver only excepted as aforesaid). So as the ground to be broken for search for coals or for entrance into any such mine do not exceed eight foot of assize in length and six foot in breadth. And be by them covered in the night time during the time of their working at the same, and filled up again with earth or other rubbish after they shall cease working at any such mine as aforesaid. And also sufficient room upon the soil of the said forest within any the bounds beforementioned to lay the said coals and other minerals on to be found out and digged up by them. And all ways, passages and easements for carts and carriages leading to or from any the mines and pits to be found out, digged, or opened by them. And the said Peter Priaulx, George Gregory and Joseph Denham and their assigns during the said term for the prevention of estrays or trespasses by reason of any way or passage to be used by them, shall at their own proper costs and charges make and maintain all fences and gates altered or to be made now by reason of any such way or passage so to be made use of by them as aforesaid. In and by which said lease there is to be reserved to us, and Our successors one full 8th part of all such coals and one 7th part of all other minerals as shall be found out, digged or gained within any the limits aforesaid during the said term, yearly to be delivered in kind to Our use to such person and persons as shall be authorized to take and receive the same, or the full clear value of such 8th or 7th part in money at the election of Us and our successors according to the rates and prizes the said coals and minerals shall or may be in truth sold at or for, all charges of finding out digging and gaining of the same deducted and reprimed, to be paid to such person and persons as we shall authorize and appoint to receive the same with such other beneficial clauses and covenants to be inserted in the said lease as may tend to the security and quiet enjoying of the premisses by the aforesaid lessees and their assigns during the said term and as are usual in like grants and cases. And for so doing this shall be his warrant.

Given at Whitehall the 17th of August 1654.¹⁸⁹

It is apparent from the language of this and other documents and from many of his words and actions that, whatever the opinions of Royalists, whether Anglican, Presbyterian or Catholic, Cromwell and his associates looked forward to the perpetuation of the Protectoral system. It is no less apparent that he was developing his policy toward that end and what that policy was had become evident. It involved not only designs on the Continent and in the western hemisphere directed toward the extension of English power and prestige wherever its fleet and its diplomacy could operate. It involved the consolidation of his authority at home. This was expressed in various forms — in the union of the British Isles under his sovereignty; in the efforts to reconcile every element in the three kingdoms to the acceptance of his ascendancy; and in the exercise of severity against his more dangerous opponents. It was, in brief, his purpose, as his every move demonstrated, to make his gov-

¹⁸⁹ *Ibid.*, A 328, ff. 116-8.

ernment strong and secure at home and feared and respected abroad, that it might survive his passing and replace monarchy permanently.

Into this general pattern may be fitted all the often apparently insignificant details of his administration which though seemingly unimportant in themselves yet when taken all together make up a firm and consistent policy. If the Protector suppressed conspiracy and revolt with a heavy hand, he did what he could in a multitude of individual instances to secure the support of moderate men of whatever party. It was undoubtedly his hope to reconcile men to his rule, to make that rule as mild and generous as was consistent with its own safety, as favorable as possible to what he and his advisers considered the best interests of the country, on one condition — that his own ascendancy should not be disturbed. He was, in fact, the very pattern of a "tyrant" in the older sense, that is to say a man who had secured his position by extra-legal means but who might use it to the highest advantage of the state. Had his title to the position which he occupied rested on more than his own courage and ability, had he possessed even a shadowy right to being regarded as a *de jure* as well as a *de facto* ruler, there is no doubt but that in his own day, as later, he might have been regarded as perhaps the greatest of English rulers. The weakness of his case lay in the means by which he had risen to power; its tragedy was that in the minds of the vast majority of those he ruled, nothing he could do could ever quite atone for the circumstances of his rise. He was like a character in a Greek tragedy struggling against a pre-determined fate, vigorously, heroically, in the main successfully, certain to be defeated in the end but never realizing, or at least never admitting, the possibility of failure. To most men the chief interest of his career has seemed to lie in the years in which he rose to power, in the means by which that power was achieved. That is, indeed, the more romantic and spectacular part of his life, but the wider and deeper issue of that life lies rather in what he did with the power he obtained, the influence which he exercised on his country's development and on the world at large. To the men of his own time this was superior even to the means by which he rose to be Protector, and though his activities in that office have, for one reason or another, received less attention from historians and biographers, it is in them there lies the greater part of his importance to the world in which he played so great a part. What that part was to be was already apparent in the first months of his occupancy of the office of Protector; what was to be its result no one, not even he himself, had as yet any clear conception.

III. IRELAND, FOREIGN AFFAIRS AND PARLIAMENT

With the conclusion of the Dutch war, the signing of treaties with the United Provinces, Sweden and Portugal, and arrangements with

lesser states, together with preparations for further adventures in foreign affairs, the early summer of 1654 saw the hands of the Protector's government freed to deal with problems which pressed it nearer home. Among those problems that of Ireland was perhaps the most immediately important. It had now been just over four years since Cromwell had left that island, two years since its resistance had been crushed and the confiscation of the lands of the "rebels" in Ulster, Leinster and Munster decreed. Irish administration was wholly in the hands of representatives of the revolutionary government in England. There was no organized resistance to their rule nor any force able to threaten their ascendancy. They had done the best they could to unravel the tangled skein of Irish affairs, yet in large measure the question of the "settlement" of Ireland remained unanswered. Under the direction of the Commissioners in whose hands the government lay, there had been vast confiscations, but as yet they had by no means all been made effective and much less had the confiscated property been distributed among the claimants — Adventurers, soldiers, officials and creditors of the Commonwealth — who clamored incessantly for their reward. The greater part of the so-called "native Irish" remained on their ancestral lands; and while many had been transported and many others fled, no definite provision had been made as yet for the disposal of the remainder and their replacement by settlers loyal to the English revolutionaries, for even a considerable part of the English and Scotch already in Ireland were at best lukewarm and at worst definitely hostile to the "murderers" of Charles I.

Such was the situation by the first of August, 1654, and it was evident that it must be taken in hand. Early in that month the newsbooks printed an ordinance of indemnity for all "British and English Protestants" in the province of Munster. This document mentioned specifically those towns which had voluntarily surrendered in the autumn of 1649 when the weather prevented Cromwell's besieging them, and whose rendition had much facilitated his conquest. Though it provided that fines might be levied for another twelvemonth on those who rendered only passive obedience, the ordinance was designed to quiet unrest in that important province.¹⁴⁰ On August 1 was passed another ordinance to name a committee to settle disputes between Adventurers,¹⁴¹ designed to contribute further to the peace of the greatly disturbed inhabitants of the island. Late in July Colonel Jones arrived in London to inform the Protector of conditions in Ireland¹⁴² and he was followed by Sir Henry

¹⁴⁰ Firth and Rait, ii, 983; *Perf. Diurn.*, Aug. 7; *Merc. Pol.*, Aug. 3-10; *Coll. of Proclamations* (1654), pp. 467-74.

¹⁴¹ Firth and Rait, ii, 942; *Perf. Diurn.*, Aug. 2; *Merc. Pol.*, July 27-Aug. 3; *Coll. of Proclamations* (1654), pp. 465-67.

¹⁴² Dunlop, *Ireland under the Commonwealth*, ii, 436.

Tichborne, sometime governor of Drogheda under Ormonde and later under the Parliament. Tichborne came in part at least on private business. At Clonmel he had been promised a house and lands in County Louth by Cromwell, and on account of money spent by him in the cause of Parliament, on July 31 the Council of State ordered that the property in question be allowed to him.¹⁴³

The case of Tichborne was common enough and served to illustrate one set of complications in what was, in effect, an impossible situation. That situation involved two insuperable difficulties — there was not enough land to meet the demands of all the claimants, and their claims were so complex and so conflicting that the wit and wisdom of mere men were incapable of finding a solution to the problem, then or thereafter. The task of restoring order and resolving the chaos left by a decade of war, spoliation and land transfers, together with the problems of administration and relations with the home government, weighed heavily on Fleetwood, who hastened to lay them on the shoulders of his father-in-law. On August 8 a personal letter to Cromwell complained of the Protector's neglect of him, sent his wife's love and noted that she expected an addition to the Fleetwood family shortly,¹⁴⁴ while another official communication listed the members chosen for the new Parliament.¹⁴⁵ A week later Fleetwood suggested to Thurloe that it would be advisable not to leave the choice of the Irish Council to that Parliament but to nominate its members at once.¹⁴⁶ But before that advice arrived, instructions had already been drawn up and signed, not only nominating the new Council¹⁴⁷ but giving detailed orders and authority to the Lord Deputy in regard to the questions of officials to be appointed; revenue to be collected; sequestrations to be enforced; lands and houses to be "set and let;" "rents, issues and profits of . . . ecclesiastical benefices and promotions" to be arranged for two years; taxes to be levied; a treasury established; the army paid; counterfeiting suppressed; timber preserved; and the Act for the satisfaction of the Adventurers enforced; together with the adjustment of salaries, the filling of vacant offices, and finally the giving of "timely notice" to his Highness and the Council of the proceedings of the Lord Deputy and his Council. By such sweeping and comprehensive instructions the Protector and his Council, in brief, handed back almost the whole problem of the Irish settlement to the greatly harassed Lord Deputy and his Council in virtu-

¹⁴³ Percivale to Davis, July 18, *Hist. MSS. Comm. Repts.*, Egmont MSS., i, 550; *Cal. S. P. Ire.* (1647-60), pp. 604-5.

¹⁴⁴ Fleetwood to Cromwell, Aug. 8, 1654, Thurloe, ii, 530.

¹⁴⁵ *Ibid.*

¹⁴⁶ Letter Aug. 16, *ibid.*, p. 545.

¹⁴⁷ The salary for the Council members was set on Aug. 22 at £1,000 a year (*Dunlop, Ireland under the Commonwealth*, ii, 443). Other orders concerning Ireland were made by Parliament (*ibid.*, pp. 443-7).

ally the same form in which they had endeavored to hand it on to their superiors:¹⁴⁸

Instructions to the Lord Deputy and Council in Ireland

Instructions given by his highness the lord protector, by the advice of his council, to his highness's deputy in the dominion of Ireland and to such other persons, as hereby his said highness is pleased to authorize to be of his council with the said deputy, for the government of the said dominion.

It being necessary for the good government of the Dominion of Ireland in all affairs thereunto belonging that a Council be established to assist our Deputy there in that government, we reposing great trust and confidence in the fidelity, wisdom, and advice of our trusty and well-beloved [Richard] Pepys one of the barons of our Exchequer, Wm. Steele, serjeant-at-law, Recorder of our city of London, Robert Hammond Esq., Miles Corbett Esq., Robert Goodwin Esq., Math. Thomlinson do nominate, assign, and appoint them to be of our Council with our Deputy, and therefore will that our Deputy shall use their advice and counsel in all affairs concerning the said government as hereafter shall be more particularly directed in these Instructions.

1. The principal and first care that we commit unto our Deputy and Council is that they shall, as well by their own example, as by such other means as they shall judge best, endeavour the promulgation of the Gospel, and the power of true religion and holiness, and the suppression of idolatry, popery, superstition and profaneness in that land.

2. You are to cause the Act, entituled An Act for the settling of Ireland (whereof several printed copies are herewith delivered unto you) to be published and dispersed in the several provinces of Ireland, in such manner as you shall think fit, to the end that all the people of that nation concerned therein may understand what the intentions of the Parliament are towards them, and you are to take care that the same be put in execution accordingly.¹⁴⁹ And also taking care that all due encouragement be given thereunto by all in authority under them, according to an Ordinance, entituled An Ordinance for the further encouragement of Adventurers for lands in Ireland, etc.

3. You are to consider of all due ways and means for the advancement of learning, and training up of youth in piety and literature, and to promote the same by settling of maintenance upon fit persons to be employed therein.¹⁵⁰

4. You are authorised to send for in safe custody, and to commit to prison or otherwise to restrain such persons in Ireland (not under the military command) whom you shall at any time find to be anyways dangerous to this Commonwealth, and such, as shall be by you imprisoned or restrained, to release and discharge out of prison or restraint again at any time when you shall see

¹⁴⁸ On Aug. 22-23 the Council of State advised Cromwell to commission his son Henry as commander of the Irish army and a member of the new Irish Council (*Cal. S. P. Dom.* (1654), pp. 321, 328), but he was only made a member of the Council on Dec. 25, 1654; see Cromwell's order of that date. Henry was probably at Chippenham with his wife's family (Thurloe, ii, 381) and went to Ireland in June, 1655.

¹⁴⁹ From Instructions, Aug. 24, 1652, art. 2.

¹⁵⁰ *Ibid.*, art. 5.

cause to do the same for the advantage of the public service; and you are authorised to remove from their places of residence or habitation, and to send into England or into such other places as you shall think fit, any persons, whose residence in those parts from whence they are to be removed, you shall judge dangerous to this Commonwealth or prejudicial to the authority thereof or the peace of that nation, and you may give licence to any persons, that shall be by you so removed, to return again to their places of residence or habitation at any time when you shall see cause for the advantage of the public service there.¹⁵¹

5. To take care that the administration of law and justice be duly and uprightly executed in that land, without respect of persons, and to that end you are to endeavour by the best ways and means you can to preserve the peace of that nation, and that the people there may have right and justice duly administered to them; and to that end (as near as the present affairs will permit) you are to see that the laws of England, as to the matter of government and administration of justice be put in execution in Ireland; and you are authorised to erect, allow, alter or continue any court or courts of justice or judicatories in any place or places in Ireland, with all rights, powers, jurisdictions, incidents, and necessities, requisite for the same, and to appoint and place in every of them such judges, justices, officers and ministers, and to appoint for every of them respectively such salaries and allowances, and to issue forth such commissions and deputations for the execution thereof, as you shall judge needful and most conducing to the peace and good of that people, and to the settling of them in obedience to the Parliament of England, until further resolutions be taken by the Parliament concerning the same; and you are to cause such seals to be made and used in the courts of justice, or for passing grants, or transacting proceedings there, as are or shall be in that behalf by the Parliament of the Commonwealth of England directed and appointed.¹⁵²

6. You are authorised to remove out of any office or place of civil government in Ireland any magistrates, governors, officers or others, whom you shall find unfit for the trust reposed in them, or to be dangerous to this Commonwealth, and you shall place others in their rooms as you shall see cause, fitted for such employment, for the better advancement of the service of this Commonwealth and for the good and peace of the people thereof,¹⁵³ or others whose places his Highness hath not, by the sixteenth of these Instructions, reserved to his own disposal.

7. You are to take care that no Papist or delinquent or disaffected persons be entrusted with, or any way employed in the administration of the laws, or execution of justice, or of any office or place of trust in Ireland.¹⁵⁴ You are to take care that no Papist or delinquent be permitted, directly or indirectly to practise as counsellors-at-law, attorneys, or solicitors, nor to keep schools for the training up of youth.¹⁵⁵

8. Our Deputy by the advice aforesaid shall take care of, and have a special regard unto the public Revenue of that nation; wherein our pleasure is that,

¹⁵¹ *Ibid.*, art. 15.

¹⁵² *Ibid.*, art. 1.

¹⁵³ *Ibid.*, art. 6.

¹⁵⁴ *Ibid.*, art. 7.

¹⁵⁵ *Ibid.*, art. 8.

(1) We be certified in particular what the whole revenue in that dominion [is] (together with the nature, manner, and times of payments), which was belonging to the Crown in the year 1638 or at any time since; and also what other revenue, payments or duties now belonging to the Commonwealth have been paid to the public use since the year 1640, either by forfeitures, confiscations, escheats, excise, customs, assessments or any other yearly rent or profit whatsoever; of all which [our pleasure is that] as soon as may be a just and particular estimate and account shall be transmitted unto us and our Council, and afterwards once every year at least, that we may from time to time understand the state thereof; and the Deputy with the advice aforesaid, as often as he shall find cause, is to represent unto us or our Council what he shall conceive may conduce to the improvement of the revenue aforesaid. (2) That our Deputy by the advice aforesaid do use such means as they in their judgments shall judge best for recovery of such part of the revenue as hath been detained or concealed, with the arrearages thereof, and also to improve the whole revenue to the best profit and advantage of the State. (3) For the better improvement of the revenue aforesaid our Deputy with the advice aforesaid shall take an account of what hath been done upon the Instructions given to the Commissioners of Ireland, dated the 2nd June 1653, for surveying the honours, castles, manors, lands, tenements and hereditaments belonging to the Crown, or to any archbishops, bishops, deans, deans and chapters or other officers belonging to the Hierarchy in Ireland; and, in case a survey be not made according to those Instructions, effectual care is to be taken that it may be forthwith done, and likewise that surveys be made of all forests and other forfeited lands in Ireland, which yet remain undisposed of by Act or Ordinance of Parliament, or Council or State in the interval of Parliament, or by us with the advice of our Council, in such manner as the aforesaid lands late belonging to the Crown and bishops are to be surveyed. (4) Our Deputy by the advice aforesaid shall cause all Acts, Ordinances, Orders and Instructions formerly given to the Commissioners for ordering and managing the affairs of Ireland now in force and not hereby altered touching the estates of delinquents, papists, archbishops, bishops, deans, deans and chapters, to be put in execution in Ireland, according to the several rules and directions therein contained, and also to put in execution all Acts, Ordinances, or Instructions of Parliament, or of us and our Council here for levying and receiving of the duties of custom and excise in the dominion of Ireland. (5) Our Deputy by the advice aforesaid is hereby empowered by himself or such others as shall, by the said advice, be appointed to set and let all such lands houses, and other hereditaments whatsoever in Ireland, as are or shall be belonging to the Commonwealth, for such time or term of years, not exceeding seven years, and at and under such rents and other conditions as shall be judged most for the public advantage, provided that our said Deputy by the advice aforesaid, shall have power to let and set the premisses for any longer term, reserving thereupon such yearly rent as the same was letten for, or worth to be let in the year 1640 or at any time within six years before; and our Deputy with the advice aforesaid, shall have power, by himself or such others as shall be appointed, to let or set or cause to be collected and received the lands, rents, issues and profits of or belonging to all or any ecclesiastical benefices, or such ministers

as are or shall be ejected for delinquency, ignorance, or scandal, until other fit persons shall be placed in their room, and also during vacancy of all such other ecclesiastical benefices as now are or shall hereafter become vacant by death or otherwise, and not disposed of by Act, Ordinance, or Order of Parliament, or by the Council of State in the interval of Parliament, or by us with the advice of the Council. (6) To inform themselves in what manner the treasury of that dominion hath been managed as to its receipts and issues, and of the persons entrusted concerning the same, and to consider how, for the future, there may be established one Grand Treasury in Ireland, what person or persons are fitting to be employed to supply the place of Treasurer of all such monies as are or shall be received, and also of fit persons to supply all other offices incident to the said Treasury, and what salaries or allowances are fit to be settled upon them respectively, and in the meantime to take care that the same may be managed for the best advantage of the State.¹⁵⁶

9. Our Deputy by the advice aforesaid is hereby authorised to cause assessments to be made upon the estates of the people of Ireland, to be rated, levied, collected and paid according to the several rates and proportions set down and expressed in an Ordinance, entitled 'An Ordinance for the further encouragement of the Adventurers for lands in Ireland' and the soldiers and other planters there, towards the payment and maintenance of the army and garrisons there, and for defraying of the public charge and carrying on the affairs of this Commonwealth in Ireland, in order to the execution of these Instructions, and to appoint Commissioners and other officers necessary and requisite for this service, and to allow unto them or such of them as they shall think fit such salaries or allowances for the said service as they shall judge meet, with respect to the easing the charge of the Commonwealth.

10. Our Deputy is hereby authorised from time to time by his own warrant to charge the Treasury and public Revenue in Ireland for payment of the army and garrisons either in money or provisions, as also for all incident charges necessary for the army. And all other payments to be made for the carrying on and effecting of any of these Instructions, or in pursuance thereof, shall be made by warrant of our Deputy by the advice of the Council, to be signed by our Deputy and five at least of the Council, who shall likewise issue all warrants for ammunition to be delivered out of the magazine. And such respective warrants as aforesaid shall be a sufficient discharge to the respective treasurers, storekeepers and other officers concerned therein.

11. You are to consider with the Commander-in-Chief of all due ways and means for lessening the public charge of the Commonwealth there, either by reducing the forces into fewer regiments, disbanding supernumeraries, demolishing of castles or garrisons, or by moderating and regulating the present establishment of the pay for the said forces, or by taking away any other superfluous charge of what kind soever wherewith the public revenue is charged, and to put the same into practice and execution with such convenient speed, as the condition of affairs will admit and as you find the same may stand with public safety and advantage.¹⁵⁷

12. You are to cause to be put in execution effectually all laws now in

¹⁵⁶ (6) from Instructions, Oct. 4, 1650, art. 11.

¹⁵⁷ Instructions, Aug. 24, 1652, art. 17.

force against the counterfeiting, clipping, washing, or debasing of coin, and are empowered to put forth proclamations as you shall think fit for suppressing thereof.¹⁵⁸

13. Our Deputy by the advice aforesaid shall take effectual care for the preservation of the timber in Ireland belonging to the Commonwealth, and shall use all good ways and means for preventing the mischiefs and inconveniences by selling or cutting down and destroying the timber there, and shall make inquiry where any trees fit for ship-timber grow near any good haven or navigable rivers, and thereof certify his Highness and Council.

14. Our Deputy with the advice aforesaid is hereby authorised to put in execution all the powers, instructions, and authorities given unto the Commander-in-Chief or the Commissioners for ordering and settling the affairs of Ireland by one Act of Parliament, entitled 'An Act for settling of Ireland, by another Act, entitled 'An Act for the speedy and effectual satisfaction of the Adventurers for land in Ireland and of the arrears due to the soldiery there and of other public debts, and for the encouragement of the Protestants to plant and inhabit Ireland,' and also by one Commission under the Great Seal of England the 2nd day of June 1653 and by the Instructions thereunto annexed, and likewise by the further Instructions from the late Council of State bearing date the 2nd day of July 1653, and all other Orders of the late Council of State in the interval of Parliament, and all Acts of Parliament and Ordinances of us with the advice of our Council, and not altered by or repugnant to these Instructions, as fully and effectually as the said Commander-in-Chief of the forces of Ireland and the said Commissioners for ordering and settling the affairs of Ireland, or any of them are enabled to do by the said several Acts, Commissions and Instructions, Ordinances and Orders or any of them; provided always that our Deputy, with the advice aforesaid, may, so far as they shall judge fit and to be for the public service, dispense with the Orders and Instructions made and given by the late Parliament or Council of State for the transplantation of the Irish natives into the Province of Connaught or County of Clare or one of them, and likewise with the penalties and forfeitures set and imposed by the authority aforesaid upon such persons as shall not transplant themselves accordingly, and may also by Proclamation or otherwise, as they shall think fit, declare and publish the same.

15. You are authorised by yourselves, or such as you shall depute or appoint for that purpose, to administer any oath or oaths to any person or persons whatsoever in pursuance of these Instructions, or in order to the execution thereof.¹⁵⁹

16. Our Deputy shall have the gift and disposition of all temporal offices as they shall become void, except the offices of Presidents of the Provinces, the Chancellor, Treasurer, Under-Treasurer, Master of the Ordinance, Chief Justice and Justices of the Bench, Chief Justice and Justices of the Common Pleas, Chief Baron and Barons of the Exchequer, Master of the Rolls, Serjeant-at-Law or Attorney and Solicitor, Treasurer-at-War, Marshall and Clerk of the Cheque — all which we reserve to our own disposition.

17. You are to give frequent and timely notice of your proceedings in the

¹⁵⁸ *Ibid.*, art. 12.

¹⁵⁹ *Ibid.*, art. 16.

execution of these Instructions unto the Parliament, or to the Council of State.¹⁶⁰

18. We will that our Deputy, with the advice of the Council aforesaid or any five or more of them, shall put in use and execution the foregoing Instructions; provided always that in case of death or other absence of the Deputy out of Ireland, the Council hereby nominated and appointed, or any five or more of them shall have power and authority to execute all and every the powers, authorities and instructions herein contained as fully and effectually as our Deputy, or our Deputy and Council, or our Deputy by advice of the Council are empowered and enabled to do.

17 Aug.

OLIVER P.¹⁶¹

On the day following the issue of these instructions the Protector signed a pass for the Royalist poet-conspirator Abraham Cowley to come to England from France.¹⁶² He had been employed by the Queen in correspondence with her husband and in journeys to Holland, Jersey and elsewhere in connection with the Royalist designs. He had been given a pass in May, 1654, was given another in October of that year and seems to have been back and forth between France and England until 1656 when he was arrested and spent the rest of the years of the Protectorate in prison.¹⁶³ In addition to these matters of state, it appears that steps were being taken in this month to regulate the Protectoral household. On July 31 a committee of the Council ordered Carew Mildmay to send in an account of all the plate employed in the Protector's service;¹⁶⁴ on August 17 Pickering and Strickland were ordered to ask Cromwell to appoint persons to manage the repairs on Whitehall regularly.¹⁶⁵ On the 25th warrants were issued by the Council to sixteen persons for plate and goods for the Protector's household valued at £5,780/15/10½;¹⁶⁶ and on August 31 Mr. Embree was ordered to take special care that the Mews be cleared for the use of Cromwell's family.¹⁶⁷ Besides these minutiae of his daily existence, on this same August 17 the Protector referred to Sir Charles Wolsey and Colonel Jones a petition from one Job Murcott, a solicitor of sequestrations for Chester during the civil wars, for £2,442/17 for back salary.¹⁶⁸ Finally on that same day, apparently at the suggestion of General Lambert, he

¹⁶⁰ *Ibid.*, art. 20.

¹⁶¹ Dunlop, *Ireland under the Commonwealth*, ii, 437-43. Other instructions cited, in *ibid.*, i, 3, 263-8. A draft of these instructions, in Thurloe's handwriting, is in Thurloe, ii, 506-9.

¹⁶² Rawl. MSS., A 328, f. 122.

¹⁶³ See *Dict. Nat. Biog.*, "Cowley"; Sprat's *Life of Cowley*; *Nicholas Papers*, ii, 92, 219; Thurloe, iv, 232.

¹⁶⁴ Hist. MSS. Comm. Rept. 7, App. p. 595 (*Mildmay MSS.*).

¹⁶⁵ Cal. S. P. Dom. (1654), p. 309.

¹⁶⁶ *Ibid.*, p. 454.

¹⁶⁷ *Ibid.*, p. 347.

¹⁶⁸ Petition with signed reference cal. in *Cal. Comm. for Comp.*, p. 3209.

requested the Council to satisfy the claims of certain officers for their pay out of the forest lands:

Request to the Council of State

OLIVER P.

I desire that the names of Major Boteler and Major Anthony Markham and Mr. Tho. Smallwood, Chaplain to the Major General's regiment may be inserted into the ordinance for additional security to the Officers of the Army out of Forest Lands, they having as yet had no satisfaction or security given them for their arrears.¹⁶⁸

18th Aug.

1654

Numerous as were the details which found their way to the personal attention of the Protector, such records as we have of them are only a part of those which doubtless once existed, and even they bear small relation to the mass of business which fell on the shoulders of the Council and never came directly under Cromwell's eye. He and his particular advisers were at this moment less concerned with such details since the problem of foreign policy was now taking definite form. The demands of the English government on the King of Spain which were regarded by the Spanish ambassador, Cardenas, as wholly unacceptable — as they were perhaps meant to be — had been followed by a period of aloofness, which, under the circumstances, was natural enough. The ambassador did his best. His note to Thurloe to beg for a reply to the letter from Don Luis Mendez de Haro, Philip IV's minister, delivered at his last audience,¹⁷⁰ brought only formal protestations of good will and an agreement to receive an extraordinary ambassador.¹⁷¹ Cardenas, in fact, was set a hopeless task. The plans to attack the West Indies had already been laid, the details had already been worked out, and in the face of the expressions of friendship to Spain, a formal order was now signed to the men who were to lay the plans for that enterprise:

OLIVER P.

Instructions unto generall Penn, collonell Venables, Aldr. Ricard, collonell Haines, Mr. Maurice Thomson, capt. John Lymberry, capt. William Rider, capt. Thomas Alderne, Mr. William Williams, capt. Goodson, Mr. William Vincent, capt. John Brookhaven and Mr. Martin Noell, for the Manageing the Southerne Expedicion.

Whereas Wee have, by advice of our Counsell, resolued with all convenient speede to send into America a Squadron of Shippes of Warre consisting of 14, and seueral other Shippes of burthen to carry Provisions and other necessaries

¹⁶⁸ Original in *S. P. Dom., Interreg.,* LXXIV, 1051. Cp. Council's orders on C's request, *Cal. S. P. Dom. (1654)*, p. 318.

¹⁷⁰ Thurloe, ii, 545.

¹⁷¹ See Cromwell's letter of Sept. 4, below.

OLIVER CROMWELL

(a list of all which shipps you shall receive from the Commissioners of the Admiralty and Navie), and to send with the said Shipps 3000 land souldiers in 6 Regiments and 100 horse. And with the said Forces to Attaque the Spanyard both at sea and land in those parts; who hath unhumanly murdered diverse of our people there, taken away their possessions, and doth exercise all Acts of hostility against them as open enemies, and hath seuerall other waies given iust cause to this State to take and prosecute the aforesaid Resolucions.

And reposing trust and confidence in your prudence, faithfulness, and integrity. We have chosen, constituted, and appointed, and doe hereby constitute, chuse, and appoint you to bee our Commissioners for the Ordering and manageing of the designe and vndertaking aforesaid, according to the Instructions now given vnto you, or such others as you shall from time to time receive from vs on that behalfe.

1. You shall therefore vppon the Receipt of these Instruccions meeet at some convenient place in the Cittie of London, and apply your selues to this worke.

2. You shall informe your selues of the State of the Fleete intended as aforesaid for America, what provisions of all sorts are already made, both as to the nature and quality of them, as allsoe to the quantities and proporcion of them: And what you shall find defective or short, you shall certifie your advice and oppinion therein vnto vs in writing, and by what meanes the same may most conveniently be provided and with most expedicion.

3. You shall take Consideracion of all things which may bee necessary for the carrying on this present designe, as well in Reference to the land Army as the Sea Forces, and to certifie your advice as in the next precedent Article.

4. You shall consider of two fitt persons to be sent away ymmediately to the Barbadoes and the other Carribbee Islands, who may Communicate there with such persons as shalbe thought fitt concerning this designe, and make such preparacions there in Order thervnto against the Coming of the Fleete thither as shalbe necessary. And you shall consider of fitting instruccions to be given to the persons who shalbe sent as aforesaid.

5. You shall consider what Forces and supplies will bee fitt to be sent after the present Fleete, and of the time sending them, and in what manner.

6. You shall generally consider of the best and most probable meanes for the carrying on and ymprovement of this vndertakeing, In Case it shall please God to give us Success in the present expedicion, for the Honour, benefit, and advantage of this Common Wealth, as well in respect of trade as otherwise.

7. You shall from time to time certifie to vs your opinions and advice concerning these particulars, and shall not comvnicate your advices or Counsells but by direction from us.

8. You have hereby power to send for any persons to be conferred with, or ymployed in this business, or for the Execution of your Orders, as Allsoe to appoint Clerkes and officers to attend you in this service, and to appoint them just allowances, which being certified to vs Care shall be taken for the payment of them.

9. You shall take Care that the persons you ymploy, especyally the Clerkes, be trusty persons, and such as you may have entire confidence in.

10. Our will and pleasure is that you, or any three of you, doe put in Execution these powers and Instruccions.

Whitehall 18 August 1654.

John Thurloe.¹⁷²

In spite of the fact that the Council had approved an attack upon the Spanish West Indies and the appointment of this committee to work out the details of such an expedition, the Protector had not gone too far in any direction to make it impossible to change his plans. Whatever the foreign envoys hoped or feared or suspected, they had little or no definite information as to what he proposed to do. Least of all was he prepared to involve himself in a French alliance at this moment. In later years Thurloe declared that while Cromwell had always favored the idea of attacking Spain in the West Indies, he preferred to act independently. He was unwilling to form an offensive and defensive alliance with France, preferring to limit England's warlike activities to the West Indies and let France and Spain settle their own quarrel on the Continent.¹⁷³

This was not in accord with the wishes of the Spaniards, much less of the French, who desired aid against the Spaniards, especially in the Low Countries. Bordeaux seems to have believed that Cromwell's hesitation in coming to an agreement was due in part at least to his doubt of the outcome of the siege of Arras by the Spaniards under Condé, and that he was prepared to make greater demands on France if the city should fall into Spanish hands. On August 21, as soon as the news came that the Spaniards had withdrawn from before Arras and the city was safe, he had hurried to the Protector to announce the French success, hoping that he might be able to secure a treaty. In that he was disappointed. The Protector expressed "some joy" at the news, though Bordeaux thought insincerely, deciding that Cromwell believed the French so "greedy for a peace" that he could force them to sign anything he pleased.¹⁷⁴ None the less Bordeaux clung to the instructions which he received in July¹⁷⁵ which involved 8,000 men and a subsidy to help take Dunkirk which should remain in English hands, and an offer of assistance in an attack on the Spanish plate fleet in August. That was now too late and Bordeaux had reported on August 11 that according to the propositions submitted by the English commissioners the whole basis of the negotiations was altered. The Protector desired neither a

¹⁷² Original in *Stowe MSS.*, 185, f. 83. Pr. in A. P. Watts, *Histoire des Colonies Anglaises aux Antilles (de 1649 à 1660)* (Paris, 1924), Appendices pp. 461-2.

¹⁷³ Thurloe, i, 759-63.

¹⁷⁴ *Perf. Diurn.*, Aug. 22; Bordeaux to Chanut, Aug. 18/28, Thurloe, ii, 549-50, and to the Duke of Elbeuf, Aug. 24/Sept. 3, *ibid.*, p. 559.

¹⁷⁵ Jusserand, *Recueil des Instructions*, "Angleterre," i, 191-202; cp. Guizot, Cromwell, ii, 394 ff. Mazarin was so disturbed that he sent a letter to Cromwell unsealed so that Bordeaux might alter or suppress it if he saw fit; see Thurloe, ii, 559; *Lettres du Cardinal Mazarin*, vi, *passim*.

strict alliance nor a treaty of confederation, but only the establishment of a commission to arbitrate the depredations by sea. Moreover he demanded the expulsion from France of Charles II, his two brothers and twenty others, whose names he gave; that no prizes taken by the English "rebels" — that is to say the Royalists — be admitted to French ports; that letters of marque be revoked, all acts of hostility cease; commerce be re-established; and no mention made of former treaties or agreements of alliance or amity; so that conditions might return to what they had been previously.¹⁷⁶

To add to the French envoy's disappointment, after his audience with Cromwell on August 21, the Dutch ambassadors refused to further his attempt at accommodation, chiefly through the efforts of Jongestal, who as a Frieslander was displeased with the efforts of his colleagues to negotiate.¹⁷⁷ So intense was the feeling between Holland and her sister provinces, it was rumored in France that the English fleet was preparing to support Holland against them.¹⁷⁸ Moreover Bordeaux was uneasy at the conferences between Cromwell and his agent Stouppé who had now returned from the Continent to assure the Protector of the friendly inclinations of the Prince of Tarente, one of Condé's officers, who had been suggested by Cromwell as commander of the Huguenots.¹⁷⁹ To add to the confusion, the Spaniards were encouraging the gossip of a projected marriage between Don John of Austria and one of Cromwell's daughters.¹⁸⁰ Under such circumstances the Anglo-French treaty hung fire, especially since the Protector's proposals were as unsatisfactory to the French as theirs were to him. Whatever his designs on Spain, it appeared that France was to have no part in them, at least for the present.

The day that the Protector had his interview with Bordeaux, he had, as usual, a series of documents to sign. Some were mere detail, like an order for payment of a bill for poleaxes endorsed by the Lieutenant of the Tower, Barkstead;¹⁸¹ a passport for Sir John Clotworthy, appointed to serve on the new committee for settling differences among the Adventurers for lands in Ireland and now about to travel thither;¹⁸² an-

¹⁷⁶ Proposed articles dated Aug. 5 in Guizot, *Cromwell*, ii, 402-7. See also Bordeaux's letter, Aug. 3/13 enclosing names of men to be banished and his letter of Aug. 11/21, *ibid.*, and Jusserand, *Recueil des Instructions*, "Angleterre," i, 203-4.

¹⁷⁷ Salvetti, newsletter Aug. 18/28, *Add. MSS.*, 27962 cited by Gardiner, *Comm. and Prot.*, iii, 163.

¹⁷⁸ Stouppé to Tarente, Aug. 25, Thurloe, ii, 566. See also *ibid.*, pp. 537-8, and H. C. de la Trémouille, *Mémoires du Prince de Tarente* (Liège, 1767), pp. 169-71.

¹⁷⁹ Quirini to Doge, Aug. 23/Sept. 2, *Cal. S. P. Ven.* (1653-4), p. 254.

¹⁸⁰ *Cal. S. P. Dom.* (1654), p. 335.

¹⁸¹ Rawl. *MSS.*, A 328, f. 123. Ordinance appointing him in Firth and Rait, ii, 942.

other passport for a certain Hannibal Sehested and his family to come to England from Hamburg;¹⁸³ a week's reprieve for one Bartholomew Perkins, prisoner in Newgate and condemned to death for counterfeiting;¹⁸⁴ and various letters passed under the Great Seal.¹⁸⁵

These items of business were succeeded by one of more importance, for after long and arduous labors the committee appointed to draft an ordinance for the reform of the Chancery finally presented the result of their deliberations to the Council at this moment. It was a matter of the utmost interest and significance not only to the legal profession but to the government. In its ill-advised haste to improve judicial processes, the Nominated Parliament had abolished the Court of Chancery, but it became apparent almost at once that legal administration could not go on without equity jurisdiction. It became necessary, therefore, to adopt a middle course of reforming a system in which equity jurisdiction should have its place. By the new ordinance the Court of Chancery was retained, with the offices of Lord Chancellor and Lord Keeper, but with simple regulation and limitation of the functions of the court and the administration of equitable processes, "with less trouble, expense and delay than heretofore," as the preamble declared, but the evils growing out of rigid rules which did not permit the flexibility necessary for wise administration of equity were recognized.¹⁸⁶ The new ordinance received the assent of the Council on August 1,¹⁸⁷ and with alterations proposed by the Protector was passed on August 21,¹⁸⁸ the day of the interview with Bordeaux, and issued on the day following. Even then it was not successful. It was suspended in the following November; put into execution again in April, 1655; caused the resignation of Whitelocke and Widdrington as Commissioners of the Great Seal in June, and the refusal of Lenthall to discharge his duties as Master of the Rolls; and it was not until many of its provisions had been tacitly allowed to lapse that the Protector was able to find men to carry out a measure which was so widely advertised as one of his outstanding achievements.

On the two days following the meeting of the Council when this

¹⁸³ Rawl. MSS., A 328, f. 119.

¹⁸⁴ Ibid., ff. 118-9.

¹⁸⁵ Letters passed under the Great Seal on Aug. 21 were for Denis Bond to be Clerk of the Pells in the Exchequer; for Col. Robert Hammond to receive £400 a year (list in *4th Rept. Deputy Keeper of Public Records*, App. II, pp. 189-98). On Aug. 31 are letters patent constituting Sir William Roberts and Thomas Fauconberg auditors of the Exchequer; and Christopher Lister a Teller in the Receipt of the Exchequer. *Ibid.*

¹⁸⁶ Cp. Inderwick, *Interregnum*, pp. 222-30.

¹⁸⁷ *Perf. Diurn.*, Aug. 2; *Cal. S. P. Dom.* (1654), p. 281.

¹⁸⁸ *Ibid.*, p. 303. In Firth and Rait, ii, 949-67; and partially pr. in *Perf. Diurn.* and *Merc. Pol.*; *Coll. of Proclamations* (1654), pp. 495-531.

important ordinance was passed, August 22 and 23, Cromwell was present in the Council for the last time until November. Most of the business then considered was concerned with private persons and much of it with petitions for release from prison by men who had been arrested for conspiracy. In the first ten days of August eleven of these had appealed to the Protector for release or trial, and before Parliament met, eight of the Scots in the Tower were ordered to be released and banished, fifteen of the conspirators to be admitted to bail and nine banished.¹⁸⁹ Of these the most important, as the event proved, was Sir Richard Willis, a member of the Sealed Knot, who after Cromwell's death was intimate with Thurloe. The failure of the Knot to rise in the spring of 1659 was laid at his door and he was never able to convince Hyde of his innocence.¹⁹⁰

*To Our Trusty and Well beloved John Barkstead, Esq. Lieutenant
of Our Tower of London*

OLIVER P.

Our will and pleasure is that you forthwith discharge and set at liberty the body of Sir Richard Willys, now prisoner under your custody in Our Tower of London. You taking good and sufficient security (by bond of five thousand pounds) that the said Sir Richard Willys shall appear before the Council at Whitehall within three days after summons in that behalf, and that he shall act nothing against or any way prejudicial to his Highness or the State. And for so doing this shall be your warrant.

Given at Whitehall the 23d of August 1654.¹⁹¹

Besides these arrangements for the conspirators, on August 23 the Protector signed two passes, one for a Thomas Orbey to go to France,

¹⁸⁹ *Cal. S. P. Dom.* (1654), pp. 280-93. List of prisoners with their disposition, *ibid.*, p. 355. Cromwell had ordered a report on the prisoners and the Council ordered their disposition, *ibid.*, pp. 353-4. Some of these were not released until October and some not till December, while the order of banishment was revoked by Cromwell in the case of some. *Rawl. MSS.*, A 328, ff. 138, 155, 157.

¹⁹⁰ See F. J. Routledge, *Clarendon Papers*, iv (Oxford, 1932), 223 ff., for the long record of Hyde's suspicion of Willis from Feb. 1659 to Apr. 1660. See M. Hollings, "Secret History of the Interregnum," *Eug. Hist. Rev.*, xlvi (1928), 33-65, the purpose of which is to prove that the letters which were used to prove Willis' guilt were forged by Morland, Thurloe's assistant, who worked as a double spy for two or three years. Willis always maintained that his dealings with Thurloe after Cromwell's death were for the advancement of the Royalist cause. All Royalists in England except Morland and Mordaunt, who wrote many letters denouncing Willis to Hyde, stubbornly refused to believe Willis was a traitor.

¹⁹¹ *Rawl. MSS.*, A 328, f. 120. If he was released he was not at liberty very long, for in December 1655, on the Council's order, Thurloe wrote another order for his release under heavy bond and sentence of banishment and promise to do nothing prejudicial to the Protectorate. *Cal. S. P. Dom.* (1655), p. 63; Thurloe, iv, 333. A year later, however, he was back in England conspiring again and on May 11, 1658, the Council included his name in a list to be tried by the High Court of Justice. *Cal. S. P. Dom.* (1658-9), p. 16.

and one for Lady Elizabeth Grenvile, probably the daughter of Sir Richard Grenvile, to go to Holland,¹⁹² and on the next day he sent a letter to Philip IV of Spain, which, when taken in connection with previous communications and especially with preparations then being made, might well be regarded as an excuse for more drastic measures, if not a threat of war:

Oliver, Protector of the Commonwealth of England, Scotland, Ireland &c.
To the most Serene and Potent Prince, Philip the Fourth, King of the Spanish
Dominions &c.

Most Serene King,

Representation has been made to us in the petition of the owners of the ship named "The Swan of Chichester" that the said ship was overtaken and seized by two warships from Ostend. The designation of one of these was the "John" with Nicholas Held master, of the other the "Graymare" with Lawrence Andrews master. They took the said ship and goods to Ostend, and, without any authorization from the Admiralty, sold them. And, although your envoy resident here with us has long since sent letters about this matter to the most Serene Archduke, and the said owners have gone to great expense in urging their cause, yet they have up to the present time accomplished nothing, either in recovering their ship and goods or in obtaining proper satisfaction for the losses brought upon them. Wherefore, that a more effective remedy may be applied to this injustice, and that the said owners may not be treated as enemies by those with whom they practise friendship, nor be kept from their rights by the refusal to hear their case, we have most strongly requested your Majesty to ensure that, by the interposition of your special Mandate, right and justice be executed as soon as possible for those who have suffered wrong. By this action prevention may come in season for those greater disasters which many times arise from the delay of Justice, and all the injurious pretexts for the interchange of suspicions between the two states may be swept away. May the Gracious and Almighty God preserve and protect your Majesty.

Given from our Court
on the twenty-fourth of August in the year 1654

Your good friend,
OLIVER P.¹⁹³

It was on this same 24th of August that General Monk, in pursuance of his policy of pacifying Scotland by treaties or agreements with the Scottish nobility, concluded articles with James, Earl of Tullibardine, "plenipotentiary by warrant" of John, Earl of Athol, which were to be ratified by the Protector within the next two months.¹⁹⁴ Within a little more than a fortnight there was received also a treaty with Glencairn, though it was not published.¹⁹⁵ That nobleman, who had been super-

¹⁹² Rawl. MSS., A 328, ff. 120-1. Sir Richard, then in Breda, speaks in 1653 of his daughter having gone to London. *Cal. S. P. Dom.* (1653-4), p. 97.

¹⁹³ Trans. of copy in Rawl. MSS., A 261, ff. 16v.-17, pr. *infra*, App. II (15).

¹⁹⁴ *Cal. S. P. Dom.* (1654), vii, 333-34; *Perf. Diurn.*, Sept. 11.

¹⁹⁵ See p. 374, *supra*.

sed by Middleton in command of the forces he had raised, had continued to serve under Middleton, but had, as Broghill reported to Thurloe, been "trinketing in England as well as at home"¹⁹⁶ after his defeat by Morgan, and was presently to be arrested, imprisoned, and excepted from pardon by the Protector. Middleton himself had been defeated only a month earlier and with these successes and Monk's arrangements with the Scottish chiefs, the way was paved for the pacification of that turbulent kingdom.

From this the Protector's attention was turned to a very different matter. On August 28 the envoy from the Hanse towns of Hamburg, Lübeck and Bremen, Joachim Peterson, delegate from Hamburg, received his passport to return home,¹⁹⁷ and Cromwell took the occasion of his departure to send a letter of friendship and compliment to the authorities of those cities, with a separate note to Hamburg, which Peterson had especially represented and of which he was probably a citizen:

To the Hanseatic Cities

Oliver, Protector of the Commonwealth of England, Scotland and Ireland &c. To the most eminent Nobles and most esteemed Gentlemen, the Presiding Officers, Magistrates and Senators of the Hanseatic Cities, Lubeck, Bremen and Hamburg, Greeting.

Most eminent Nobles, and most esteemed Gentlemen, beloved Friends,

That relationship and freedom of commercial transactions dating from many centuries in the past between England and the Hanseatic Cities which has existed with no slight profit on both sides we, looking forward to the common advantage, heartily desire to be still maintained and even every day increased. And indeed that will be a most venerable tradition, for us to cherish most sacredly all the rights of neighborliness and friendship with you and to keep them undiminished. Wherefore it was pleasing to us that, for the sake of renewing the ancient friendship, you by your instructions entrusted certain matters to be discussed to the honorable gentleman Joachim Peterson, delegate of the City of Hamburg to us. To him as to an official minister we have shown complete confidence in all things. But what he has accomplished here in accordance with your instructions, and in what condition your interests stand with us, we have preferred that you should learn from his lips rather than from our Letters. This however his diligent activity in carrying on business has secured from us, that, now he is anticipating his return to you at an early day, we send him back to you with well-deserved compliments as one who has successfully expedited the business entrusted to him with dignity and sagacity, and has obtained what you requested of us according to your desire. This one thing remains, that we commend your Highnesses to the protection of the Divine power.

¹⁹⁶ Thurloe, iv, 49.

¹⁹⁷ Rawl. MSS., A 328, ff. 124-5.

Given from our Court at Westminster the 28th of August O.S. in the year
1654.

Your good Friend,
OLIVER P.¹⁹⁸

To Hamburg

Oliver, Protector of the Commonwealth of England, Scotland and Ireland, &c.
To the most eminent Nobles and most esteemed Gentlemen, the Presiding
Officers, Magistrates and Senators of the State of Hamburg

Most eminent Nobles, and most Esteemed Gentlemen, beloved Friends,

That which you have asked of us through your letters, that we should deign
to give kindly audience to your envoy Joachim Peterson and place credence in
his words, we have most freely granted in consideration of the distinguished
good-will in which we hold you and your state. Beyond this the business
which the aforesaid envoy transacted with us in your name, and especially our
friendly and earnest good wishes toward your republic we leave to him to be
set forth more at length. Now that he has fulfilled the public mission en-
trusted to him faithfully and sagaciously, we send him back to you with well-
deserved compliments and recommend him to your favor. As to all else we
desire your highnesses to prevail, praying for all prosperous and fortunate
things for your State.

Given from our Court at Westminster the twenty-eighth of August O.S.
in the year 1654.

Your good friend,
OLIVER P.¹⁹⁹

It will be noted that the Protector carefully refrained from commit-
ting his opinions to paper, leaving it to Peterson to communicate them
orally to the Hanse authorities. This was the more prudent in that
Hamburg had been the scene of endless quarrels between two groups of
the English merchants residing there. The older merchants upheld
Richard Bradshaw, the agent appointed by the Long Parliament and
now under the Protector's orders. The younger group had just re-
moved Bradshaw and installed an enemy to the Protectorate, which,
with the news that the "malignants" were well received in Hamburg,
brought incessant complaints to the Protector and to Thurloe from
Bradshaw and his party.²⁰⁰ To this was joined another issue. In July
Bradshaw hired the Scottish renegade, Sir John Henderson, who had
offered his services to Cromwell as a spy during the Scotch campaign.²⁰¹
He had found his way to the Continent, endeavored to ingratiate him-

¹⁹⁸ Trans. of copy in *ibid.*, A 261, f. 17v.-18, pr. *infra*, App. II (16). See
July 27.

¹⁹⁹ Trans. of copy in *Rawl. MSS.*, A 261, f. 17v.-18, pr. *infra*, App. II (17).
See July 27.

²⁰⁰ Thurloe, ii, 240, 249, 406-10, 422.

²⁰¹ See above, vol. ii, p. 344, for an account of Henderson.

self with the Royalist exiles, to some of whom he loaned money, and though despised by many of them, he was in a position to know something of their situation and that of their master. He had come to London for an interview, asked for a regular salary, expense money, a pass for himself into and out of Germany, that he might join the King and his followers at Aachen, and a pass for Peter Massonett, sometime secretary to Charles II, who was now added to the Protector's staff of spies.²⁰² Massonett had fallen out of Hyde's good graces in the previous autumn and joined the plot to impeach the Chancellor for treason, but he was still a member of Charles II's entourage, though Nicholas had learned in June that his wife was acting as an intelligencer for Cromwell.²⁰³ In such fashion was Thurloe's service built up.

Meanwhile the Protector included among his letters to the Hanse towns a like letter of compliment and dismissal for the delegate from Courland and Livonia, who was given his passport on August 28:²⁰⁴

Oliver, Protector of the Commonwealth of England, Scotland and Ireland &c.
To the Most Exalted Prince and Lord, [James Kettler] by the grace of
God Duke in Livonia, Courland and Semigallia. Greeting.

Most Exalted Prince, most beloved Friend,

Your ready good-will to us, which we have realized not only from your letters but from other evidences, we recall to mind with kindly disposition. And we wish it to be most completely evident to you that your Highness is regarded by us as in that number and station in which it is fitting that a Prince be reckoned who is most glorious in reputation and distinguished for merits, and for many reasons most worthy of our friendship. The same applies indeed to the eminent gentleman John Bretislaw Mislick, Baron of Hirphos your delegate to us, who has carried through the business entrusted to him with the greatest dignity and sagacity. As he set forth the matters which he had received in his instructions from you we gladly extended our confidence to him. So, beyond that expression of our reciprocal affection which these letters embody, we have entrusted to his loyalty and wisdom our reply to those points on which in your name he was treating with us, to be reported to your Highness. Therefore nothing further remains for the present than for us heartily to commend your highness and your fortunes to the protection of Divine Grace.

Given from our Court at Westminster the 28th of August O.S. in the year
1654.

Your good Friend,
OLIVER P.²⁰⁵

To this again the Protector added on the next day a letter to the King of Sweden in reply to that monarch's communication of June 7/17:

²⁰² Thurloe, ii, 467-9, 575.

²⁰³ Macray, ii, 136, 198, 286, 300, 398; *Nicholas Papers*, ii, 72.

²⁰⁴ Rawl. MSS., A 328, ff. 127-8. On Aug. 22 Cromwell signed an order to permit three horses to be sent to the Duke customs free. *Ibid.*, ff. 119-20.

²⁰⁵ Trans. of copy in *ibid.*, A 261, f. 18v, pr. *infra*, App. II (18). See App. III, *infra*, for safe-conduct for subjects of the Duke.

To Charles X Gustavus

Oliver, Protector of the Commonwealth of England, Scotland, and Ireland, etc., To the most Serene Prince Charles Gustavus King of the Swedes, Goths, and Vandals, Great Prince of Finland, Duke of Esthonia, Carelia, Breme, Verden, Stettin in Pomerania, Cassubia, and Vandalia; Prince of Rugia, Lord of Ingria, Wismaria, as also Count Palatine of the Rhine, and Duke of Bavaria, Cleves, and Monts, etc., Greeting.

Most Serene King,

Though it be already divulged over all the world, that the kingdom of the Swedes is transferred to your majesty with the extraordinary applause and desires of the people, and the free suffrages of all the orders of the realm; yet that your majesty should rather choose, that we should understand the welcome news by your most friendly letters, than by the common voice of fame, we thought no small argument both of your goodwill towards us, and of the honour done us among the first. Voluntarily therefore and of right we congratulate this accession of dignity to your egregious merits, and the most worthy guerdon of so much virtue. And that it may be lucky and prosperous to your majesty, to the nation of the Swedes, and the whole christian interest, which is also what you chiefly wish, with joint supplications we implore of God. And whereas your majesty assures us, that the preserving entire the league and alliance lately concluded between this republic and the kingdom of Sweden shall be so far your care, that the present amity may not only continue firm and inviolable, but, if possible, every day increase, to call it into question, would be a piece of impiety, after the word of so great a prince once interposed, whose surpassing fortitude has not only purchased your majesty an hereditary kingdom in a foreign land, but also could so far prevail, that the most august queen, the daughter of Gustavus, and a heroess so matchless in all degrees of praise, that many ages backward have not produced her equal, surrendered the most just possession of her empire to your majesty, neither expecting nor willing to accept it. Now therefore it is our main desire, your majesty should be every way assured, that your so singular affection toward us, and so eminent a signification of your mind, can be no other than most gratifying to us; and that no combat can offer itself to us more glorious, than such a one wherein we may, if possible, prove victorious in outdoing your majesty's civility by our kind offices, that never shall be wanting.

Your majesty's most affectionate,

OLIVER P.²⁰⁶

Westminster,
August 29, 1654.

²⁰⁶ Latin original in Riksarkivet, Stockholm, in *Anglica: "Parlamentets och Protektoretnas originalbref till svenska konginahuset 1645-1660."* Contemp. copy with full address in *Rawl. MSS. A 261*, ff. 19-19v; pr. in Symmons, *Milton*, iv, 373-4; Skinner Trans., no. 28; Milton, *Works* (Columbia), xiii, no. 46; Visscher's ed. (Hamburg, 1710), of Leti's *Life of Cromwell*, ii, 230-2. Cp. W. D. Hamilton, *Milton Papers* (1859), p. 15; Masson, *Milton*, iv, 636. Dated July 4 in Vischer and Symmons, July 11 by Hamilton.

From these matters the Protector turned once more to the problems of Ireland and the West Indies, which were connected in more ways than one. One of the busiest intriguers in Ireland before Cromwell had landed there was the "fanatical Papist," Randall MacDonnell, Earl of Antrim, grandson of the Earl of Tyrone and step-father of the young Duke of Buckingham. Failing to displace Ormonde as the Royalist leader in Ireland, while his wife lay dying in Waterford, he plotted to betray Wexford to Cromwell. He was disappointed in his hope of succeeding Owen Roe O'Neill as commander of the Irish forces, managed to get into Ireton's good graces, but was generally distrusted, even by Fleetwood who seems to have pitied him. When the Irish committee permitted Antrim to go to England to present his case, the Lord Deputy warned the Protector not to receive him personally, and the Council of State kept him in custody during his stay in England from June to August, 1654.²⁰⁷ On August 29 the Protector gave him a pass to return to Ireland,²⁰⁸ accompanying it with like permission for one James Danyell to go thither and return,²⁰⁹ and one for Henry Ferne,²¹⁰ very possibly the Royalist chaplain-controversialist, later Master of Trinity College, Cambridge, and bishop of Chester.

Meanwhile the committee appointed to plan the West Indian expedition had not been idle. They had decided on a list of governors for various islands — Searle to remain as governor of Barbados; Luke Stokes to be governor of Nevis; Clement Everard of St. Christopher's; Roger Osborne of Montserrat; and Christopher Keynell of Antigua.²¹¹ On August 14 a memorandum of food supplies had been presented to the Protector with a request for its approval and a list of supplies and fittings made.²¹² On August 23 Maurice Thompson was delegated to attend the Protector and secure an order for the fleet commanders to send all papers to the committee;²¹³ and on August 30 the Protector signed an order for the victualling of the expedition:

To the Commissioners for ordering and managing the affairs of the Army and Navy

OLIVER P.

Whereas the Victuals under mentioned, viz.

Bisket for eight Moneths.

Beere three moneths; and in lieu of five months beere more put on Board,

²⁰⁷ Dunlop, *Ireland under the Commonwealth*, ii, 123-4; Thurloe, ii, 343; *Cal. S. P. Dom. (1654)*, p. 203.

²⁰⁸ Rawl. MSS., A 328, f. 123.

²⁰⁹ *Ibid.*, ff. 123-4.

²¹⁰ *Ibid.*, f. 124.

²¹¹ Thurloe, ii, 543. On Aug. 20 Keynell sent his previous commission to Cromwell for perusal. *Ibid.*, p. 554.

²¹² *Ibid.*, p. 542.

²¹³ *Ibid.*, pp. 559, 571-4.

Rack or Brandie for Six weeks, and Beveridge Wine, Vinegre, and Cider for fourteen Weeks.

Beefs fower Moneths of the old store, and two Moneths to be new provided. Porke Six moneths of what is alreadie made.

Pease for Eight moneths.

Fish six weeks Haberdine, Tenn Weeks Stock fish, and in lieu of sixteene weeks Fish more the value thereof to be put on board in Oatmeale Rice, and Pease, Butter three moneths in kind, and five moneths Oyle in lieu of Butter

Cheese thre moneths of Suffolke and three moneths Cheshire the other two Moneths to bee supplied in Oyle.

And one hundred Tonnes of bay Salt.

are therefore to be provided for the supply of the Fleet commanded by General Penn: These are therefore to will and require you forthwith to take Care That the Victuals aforesaid be provided, and disposed of for the use aforesaid and that you give directions to the Victualler accordingly. And for soe doing this shalbe your Warrant. Given at Whitehall the 30th day of August 1654.²¹⁴

The motive for the projected attack on the West Indies was obviously a desire for wider markets, increased trade and more overseas possessions. It was not unconnected with the general commercial policy of the Protectorate, anxious to assist in the recovery from the losses occasioned by the civil wars and the struggle with the Dutch. The trading companies, especially the East India Company, had suffered heavily and there was a movement among the London merchants to force the abandonment of the joint-stock companies in favor of regulated trade under supervision of the government agents stationed throughout the world. The weakness of the older companies invited such an attack. The East India Company, in particular, had suffered greatly, and the success of a new subscription to its capital seemed doubtful unless an exclusive charter could be obtained from the Protector to check the invasion of its privileges which had of late been greatly infringed by interlopers. To avoid the threatened dissolution of the Company, its directors therefore decided to petition the Protector for a new charter, which they did on August 23, but the merchants opposed to the Company's monopoly were strong enough for the moment to prevent its being granted. On October 6 it was followed by another petition but it was not until February 1656-7 that the new charter was finally obtained.²¹⁵

Nor was this the only concern of the Protectoral government for the commercial interests. Its envoy, William Prideaux, who had been sent at the request of the Muscovy Company to the ruler of the territories in which lay its chief source of trade, had reached Archangel with several

²¹⁴ Original in the New York Public Library, Emmet Collection, no. 1674.

²¹⁵ Wm. Foster, *English Factories in India*, 1655-60 (Oxford, 1921), pp. 7-8; Foster, *Court Minutes*, iv, 332-9; *Cal. S. P. Dom.* (1654), p. 389.

English merchant ships by this time. Though Prideaux was invited by the Czar to go to Moscow, he declined because he wished first to inform himself of the situation by talking with the English merchants, so that, not having presented himself to the Czar, he could not be addressed by the Muscovite Chancellor and was compelled to conduct his business with a secretary. He submitted six requests to the governor of Archangel, who assured him in reply that the English were free to trade at that port on the same terms as merchants of other countries and that the English gates and wharves would be opened and rebuilt. The merchants were not, however, to be permitted to carry their wares inland and their ships were allowed to remain in port so short a time to fill their holds with return cargo that the English were at a considerable disadvantage, these conditions compelling them to sell cheaply and pay high prices for what they bought. Their chances for trade were further reduced by the war with Poland and by a serious epidemic. In spite of the fact that sickness was raging in Moscow, Prideaux insisted on going to the capital to plead the case of the English merchants with the Czar himself.²¹⁶ Thus while the commercial interests of the country were being furthered by the treaties lately signed and steps were being taken to extend and protect commerce and colonies in the Mediterranean and the Caribbean, the interests of English trade were looked after in both India and Russia.

At the same time every effort was made to put affairs in order in other directions before the meeting of Parliament, and in addition to appointing the Irish Council and the committee for the West Indian expedition, the Protector named Admiralty and Navy Commissioners:

*To Our Trusty and Welbeloved Edmond Prideaux, Esq. Our Attorney General
OLIVER P.*

Our will and pleasure is that you forthwith prepare a bill for Our signature, for the constituting, ordaining and appointing of Our right trusty and welbeloved General John Desbrow, Colonel Philip Jones, General Robert Blake, General George Monke, General William Penne, Colonel John Clarke, Colonel Anthony Rous, Lieutenant-Colonel Kelsey, Commissioners of Our Admiralty and Navy of the Commonwealth, intrusting and committing unto them or any three or more of them the power, command, jurisdiction, order, rule and government of Our Admiralty and Navy, fleet and fleets, ships, frigates, and vessels whatsoever of and belonging to this Commonwealth, together with the full care of, inspection into and the directive power of all things necessary and any way conducing to the furnishing and supplying from time to time (as need shall require) the ships and vessels aforesaid according to such instructions as together with our said Commission shall be given them, or which they or any three or more of them shall hereafter receive from Us. And that they the said Commissioners and every of them do from time to time and at all times hereafter diligently intend the premisses and observe and

²¹⁶ Thurloe, ii, 558, 562, 597.

keep and cause to be observed and kept all and singular the instruments which they shall together with our said Commission; or hereafter receive from Us as aforesaid, the powers and authorities so to be given as aforesaid, to remain in force until We shall otherwise order. And for so doing this shall be your warrant.

Given at Whitehall the 28th of Aug. 1654.²¹⁷

Besides these measures other ordinances were pushed through in these last days of August. One set up a board of commissioners in each county, which, if seconded by a committee of ministers in the respective counties, was to eject scandalous or incompetent ministers and schoolmasters.²¹⁸ Another ordinance appointed commissioners to take account of money received for the propagation of the Gospel in Wales;²¹⁹ a third provided for the sale of the forests of Needwood, Kingswood, Ashdown and Sherwood, part of the proceeds to be used to pay the arrears of soldiers, especially of eleven officers mentioned by name;²²⁰ and a fourth regulated the excise of alum and copperas. Finally on the last day of August Cromwell was waited on by a committee to explain the reasons for the rejection of an ordinance to regulate the two universities.

The Protector apparently overruled the committee's objections for on September 2 the ordinance was passed. According to Anthony à Wood, Cromwell was influenced in his decision by Dr. Thomas Goodwin, President of Magdalen College, Oxford.²²¹ The ordinance named a visiting committee for each university consisting of thirteen of its own members and thirteen laymen, who were also to visit Eton, Winchester and Merchant-Taylors' School in London.²²² This further cemented the relations between the Protector and Oxford which had conferred an honorary degree on him after Burford, sent its congratulations to him by Dr. John Wilkins when he became Protector and, like Cambridge, felicitated him in a long printed declaration on the Dutch peace.²²³ These friendly gestures from the old center of Royalism the Protector now repaid not only by approval of the ordinance but by a gift to the Bodleian Library of twenty-five ancient manuscripts, all but two or three in Greek, and an annuity of £100 from the Exchequer for a reader in Divinity. "So that by these and other favours," says Wood, "the University in general was devoted to him and ready upon all oppor-

²¹⁷ Rawl. MSS., A 328, ff. 131-2.

²¹⁸ Firth and Rait, ii, 968-90. See also *Coll. of Proclamations* (1654), pp. 595-721.

²¹⁹ Firth and Rait, ii, 990-3.

²²⁰ *Ibid.*, pp. 993-9.

²²¹ Wood, *History and Antiquities of Oxford* (ed. Gutch, 1796), ii, 661.

²²² Firth and Rait, ii, 1026-9.

²²³ Wood, *Oxford*, ii, 656; *Oliva Pacis* (1654); *Musarum Oxoniensis Elaia-phoria* (1654).

tunities to express their affections.”²²⁴ And while the circumstances of the case may serve to explain this situation, it is at least notable that throughout his career Cromwell seems to have shown more favor to the old hotbed of Royalist Anglicanism than to his own university which had played such an eminent part in the rise of Puritanism.

As the meeting of Parliament approached the Protector was naturally “very much in private about state affairs,” and while workmen were busy preparing a raised seat or “throne” for him in the Painted Chamber,²²⁵ on September 2, the day before the Parliament met, he occupied himself with signing eighteen orders and ordinances in the morning and fifty-three in the afternoon.²²⁶ Many of these were, of course, minor and routine legislation. Some, like those for the better maintenance and encouragement of preaching ministers, for the uniting of parishes, providing against the approbation of Royalists as ministers, the appointment of a permanent board of trustees to replace the Dean and canons of Windsor, continuing the almshouses and almsmen called “poor Knights,” which was bound up with the maintenance of the Windsor chapel, dealt with the problem of church reorganization. That which gave permission for veterans of at least four years’ military service to exercise a trade for which the term of apprenticeship had not been met, despite any laws and regulations to the contrary, at once gave relief to unemployment and conciliated the soldiers — whatever effect it may have had on the quality of work done or on the apprenticeship system. Some, like further “doubling” on the lands of Deans and chapters; permitting Irish Protestants to compound; and bringing all branches of the revenue under the Commissioners of the Treasury and the Court of Exchequer, had to do with the reformation of the financial system. Some, like suspending during four months of each year the law forbidding any one using more than a limited number of draft-horses, and another continuing in effect the Act of 1608 for draining the fens in Norfolk and Suffolk, with one for giving “libertie for the carrying of mill-stones, timber etc.,” were simple economic legislation which apparently echoed the relaxation of civil war measures. The ordinance concerning fines on writs of covenant and writs of entry was part of the reform of legal procedure; while that continuing John Manley as postmaster for another year with rules under which he must operate was merely one of a series of routine administrative measures.²²⁷

There was, however, continuing difficulty with France, especially over the royal family. Bordeaux asked to have excepted from the list

²²⁴ Wood, *Oxford*, ii, 667; *Perf. Diurn.*, Sept. 14; *Sev. Proc.*, Sept. 14-21 (which says there were 24 MSS.).
²²⁵ *Sev. Proc.*, Aug. 31-Sept. 7.

²²⁶ *Cal. S. P. Dom.* (1654), pp. 361-2.

²²⁷ Firth and Rait, ii, 1000-26; *Coll. of Proclamations* (1654), pp. 641-730.

of those to be excluded from France the Queen's domestics, the Duke of Gloucester and all officers employed in French service — which would have exempted the Duke of York.²²⁸ To this the Protector was unwilling to agree; and his commissioners were instructed to suggest to Bordeaux on his behalf that Holland be asked to arbitrate between the two parties.²²⁹ Then at long last, just as Parliament was about to meet, the Protector authorized the drawing up of a treaty with Denmark, appointing commissioners to treat with the Danish envoy:

Plein pouvoir to Sir A. Ashley Cooper, Sir Charles Wolseley and Walter Strickland to treat with the Danish envoy, Rosenvinge.

2 September, 1654.²³⁰

With this mass of business out of the way, the Protector and his advisers were prepared to meet the new Parliament whose members had been arriving in London and Westminster. Unlike their predecessors of the Nominated or Barebones assembly, they were not a hand-picked body. They do not seem to have been received with the same care for their comfort which was spent on the members of that former body, and in this no less than in their character and mode of selection, they were more like the Parliaments to which England had been accustomed than they were like the body of "Saints" which had so lamentably failed to meet the hopes and expectations of its sponsors and had so gratified the opponents of the revolutionary government by its ineptitude.

In this respect as in his foreign policy it is not perhaps too much to assume that Cromwell considered that the meeting of a Parliament more or less in accord with tradition might add to the security and permanence of the system which had replaced the Stuart monarchy and might help to reconcile the people to the continuance of the Protectoral government. If he could carry on the administration; govern after the ancient fashion of Parliamentary forms; and, perhaps above all, restore England to the position it had occupied under Elizabeth, men might come in time to overlook or condone the means by which he had come to power and support him as they had supported the Stuarts who had so failed in these respects. The great problem was to turn what was, in effect, a provisional into a permanent system. Whether that could be done without the restoration of monarchy remained to be seen. With all its faults monarchy was dear to the hearts of most Englishmen; with all its virtues

²²⁸ Bordeaux to Brieenne, Aug. 3/13, *Fr. Trans. R. O.*

²²⁹ Same to same Sept. 4/14, Thurloe, ii, 587.

²³⁰ Cal. in App. to 47th *Rept. of Dep. Keeper of Pub. Rec.*, p. 65. The initial letter of the copy in the Danish archives (which I have been unable to see) is said to contain a fine India ink portrait of Cromwell; the Great Seal perfect; the document engrossed on parchment and mounted on silk. The treaty with Denmark was signed Sept. 15; ratified by Frederick III on Oct. 1; and by Cromwell on Feb. 20, 1654-5. See App. I (4) for the text.

they were still suspicious of the Protectorate or opposed to it. But if Cromwell could reconcile the nation to his dominance by yielding to its love of Parliaments and bring to it a great triumph over its ancient enemy, if he could avenge the Armada, who could tell what might happen? The miracle of the overthrow of the Stuart monarchy had been accomplished; was it too much to hope that the miracle of establishing the Protectoral system would not prove more difficult? In that hope, at least, he and his followers set out on the great enterprise of reconciling the nation to their rule, and in that spirit prepared to meet the new Parliament.

CHAPTER X

THE FIRST PARLIAMENT OF THE PROTECTORATE

SEPTEMBER, 1654

By the beginning of September, 1654, the preparations were complete for what was generally recognized as a crucial test of the new régime — the meeting of the first Protectoral Parliament. In accordance with Cromwell's superstitious belief in his "lucky day," the day of Dunbar and Worcester, the first meeting was called for September 3, despite the fact that it fell on Sunday. The Protector and his Council braved the disapproval of many of their followers in the hope that the day might prove as favorable to their political fortunes as it had been for their military enterprises. They had omitted no precautions in preparing for the difficult, perhaps even dangerous, experiment of summoning a Parliament which, despite the exclusion of Royalists under the terms of the *Instrument of Government*, at best seemed likely to contain a considerable number of members who, for one reason or another, were tolerably certain to prove hostile to the existing government. That danger, like those they had encountered on the battle-field, had to be faced, for, great as it was, the failure to meet their pledge to summon a Parliament was still more dangerous, even had they wished to evade that obligation, which there is no reason to believe they did.

It is conceivable that the fact that Parliament met on Sunday was in some measure responsible for the unusual circumstances of its opening session. On the morning of that day there assembled in Westminster Abbey some three hundred members, who, meeting there again in the afternoon, listened to a sermon by Marshall and then, led by Bradshaw, repaired to the Parliament House. It was evident that there had been opposition to meeting on Sunday, and though formal proceedings opened with the nominations of Lenthall and Bradshaw for the Speakership, the members began a debate which lasted half an hour on the sinfulness of meeting on the Lord's day. They were, in fact, about to adjourn in spite of the objection that the act of adjournment was equally sinful, when Lambert appeared with a message that the Protector awaited them in the Painted Chamber. To this there was further objection. Bradshaw and others cried "Sit still!" but the members obeyed the summons and made their way to the appointed room. There the Protector, who had come from Whitehall by water, rose from his chair of state to address them. He counselled them briefly to foster a spirit of union that the Lord's work might be carried on for the sake of the peace and tranquill-

lity of the nation. With this admonition he dismissed them, promising to communicate his thoughts to them more fully in the Painted Chamber on the next day, after the service in the Abbey, where he asked them to meet him between eight and nine o'clock the next morning.¹

On that morning of September 4, in consequence, the real business of the session began in a form reminiscent of the old days of monarchy. It was, indeed, something more than that, as various persons noted, for now Parliament went to the ruler instead of the ruler to Parliament as had been the old custom. The details of the ceremony, despite Cromwell's own humble and modest demeanor, the Venetian envoy reported, disgusted many with its assumption of royal state.² Accompanied by some hundreds of gentlemen besides his life-guard, his pages and lackeys going bareheaded before him, the Protector rode in his coach of state from Whitehall to the Abbey. On one side of his coach walked Sir Walter Strickland and Sir Oliver Fleming; on the other, Captain Howard of the life-guard; while General Lambert and the Protector's son Henry sat bareheaded with him in the coach.³ Behind it, Cromwell's son-in-law, the Master of Horse, Claypole, led the Protector's war-horse, and after him came coaches containing the Commissioners of the Great Seal and of the Treasury and the members of the Council. Four mace-bearers led the way into the Abbey, followed by Whitelocke carrying the purse of state and Lambert bearing the sword of state, flanked and followed by their colleagues in the government. Cromwell himself, quietly dressed in civilian costume, took his place opposite the pulpit, the members in the body of the church. The sermon was preached by Dr. Thomas Goodwin, and after the service the members proceeded to the Painted Chamber to listen to the Protector's speech.

The body to which he addressed himself differed widely from that Nominated or "Barebones" Parliament which he had last faced. The present assembly was in a sense, however limited, a "free" Parliament. It had been chosen not by those in authority but by the electors of the constituencies as determined by the *Instrument of Government* with the restrictions which had been laid down in that document. It is apparent that, for whatever reason, scarcely three-fourths of those chosen ever served. Some, like Lord Grey and Wildman, seem to have been excluded;⁴ but those who appeared resembled the membership of the old Long Parliament more closely than that of what was called disparagingly by some of them "the late little convention." Of the members of the Long Parliament, there now appeared some 125, of whom, however, about

¹ *C.J.*, vii, 366; Goddard's diary, in Introd. to Rutt's ed. of Burton's *Diary* (1828), i, xvii-xviii; *Faithful Scout*, no. 195; *Perf. Diurn.*; *Merc. Pol.*, Sept. 3.

² Paulucci to Sagredo, Sept. 3/13, *Cal. S. P. Ven.* (1653-4), p. 257.

³ *Sev. Proc.*, Aug. 31-Sept. 7, says Lawrence and Lambert rode in the coach.

⁴ Ludlow, *Memoirs*, i, 390.

80 were not men originally elected but were "recruiters" or those who had taken the places of members chosen in 1640 but disabled later. Of the Barebones Parliament there were some 55 again returned to this body. The social and political standing of this new assembly in comparison with its predecessor may be judged by the fact that it contained seven "lords," four earls and one baron, with some 55 knights. Naturally there was a high proportion of men bearing some military title — some 107 in all; and there was no less naturally a considerable number of officials in the government, including at least three judges. It is surprising to find that where the Barebones Parliament included only seven regicides, this body contained no less than eighteen, while there were eleven others classified as "King's judges," or members of the High Court of Justice. It is evident from a study of the list of members, and of the proceedings, that some Royalists, whether Anglican or Presbyterian, and many more Republicans, had found seats; and it soon became apparent from the debates and divisions that the balance between the Cromwellians, or what was called the "court" party and their opponents was only slightly in favor of the former, and not always that. This first Protectoral Parliament was, indeed, more than a legislative body. It was to be, in a sense, a kind of constitutional convention. No small part of its activities was to be the review and perhaps the revision of the *Instrument of Government*, which the existing administration looked upon as the fundamental law, the foundation-stone of its existence.

If, then, it was important to see what the attitude of this body would be toward the Protector and his government, it was of no less interest and importance to see what position the Protector would take toward his new Parliament. It was, therefore, with more than usual concern that the members gathered in the Painted Chamber to listen to his opening address. The difference between the circumstances under which his first speech had been delivered to the Barebones Parliament and those surrounding the present utterance was significant of the altered status of affairs and especially of that of Cromwell himself. On the former occasion the Lord General had stood on the floor of the chamber, surrounded by his officers, and talked, as it were, man to man. Now there had been prepared "a very rich chair wrought and trimmed with gold upon a place up two steps, like a throne, with a table before him, and seats for the Members." There "his Highness standing up with his head bare, delivered his mind very excellently at large to the Parliament."⁵ His

⁵ Stainer, p. 441. See also Whitelocke, p. 599; Burton, i, xviii–xix; Heath, *Chronicle*, p. 363; Thurloe, ii, 588. One Republican complained of the more than monarchical arrogance Cromwell exhibited in summoning the House to his presence instead of following tradition by meeting Parliament within its own doors (Paulucci to Morosini, Sept. 10/20, cited in Gardiner, *Comm. and Prot.*, iii, 178). This was, perhaps, the beginning of a new tradition. No king ever went to the House of Commons after the attack on the Five Members.

speech was not merely an explanation and a defence of past events, not merely an appeal for “healing and settling” the affairs of the nation; it was an account of his stewardship and a plea for its support and continuance.

His Highnesse the Lord Protector's speech to the Parliament in the Painted Chamber, on Monday, the 4th of September, 1654.⁶

Gentlemen,

You are met here on the greatest occasion that, I believe, England ever saw, having upon your shoulders the interest of three great nations, with the territories belonging to them. And truly, I believe I may say it without an hyperbole, you have upon your shoulders the interest of all the Christian people in the world; and the expectation is that I should let you know (as far as I have cognizance of it) the occasion of your assembling together at this time.

It hath been very well hinted to you this day, that you come hither to settle the interests before mentioned; for it will be made of so large extension in the issue and consequence of it.

In the way and manner of my speaking to you I shall study plainness, and to speak to you what is truth and what is upon my heart, and what will in some measure reach to these concernments.

After so many changes and turnings which this nation hath laboured under, to have such a day of hope as this is, and such a door of hope opened by God to us, truly I believe, some months since would have been above all our thoughts.

I confess it would have been worthy of such a meeting as this is, to have remembered that which was the rise, and gave the first beginning to all those turnings and tossings that have been upon these nations; and to have given you a series of the transactions (not of men, but) of the providence of God,—all along unto our late changes, as also the ground of our first undertaking to oppose that usurpation and tyranny that was upon us, both in civils and spiritualls, and the several grounds particularly applicable to the several changes that have been.

But I have two or three reasons which divert me from such a way of proceeding at this time. If I should have gone in that way, that which is upon my heart to have said (which is written there, that if I would blot it out I could not) would have spent this day; the providences and dispensations of God have been so stupendous. As David said in the like case, *Many, O Lord my God, are thy wonderful works which thou hast done; and thy thoughts which are to usward, they cannot be reckoned up in order unto thee; if I would declare and speak of them, they are more than can be numbered.*⁷

Truly another reason, new to me, you had to-day in the sermon. Much recapitulation of providence, much allusion to a State, and dispensation in respect of discipline and correction, of mercies and deliverances,—the only

⁶ This follows the pamphlet except when indicated, omitting the emendations and improvements of later editors. The punctuation has, however, been altered in accord with modern ideas—seventeenth century punctuation, like italicization, as is well known, being arbitrary and often illogical, if not ungrammatical.

⁷ *Psalm xl.5.*

parallel of God's dealing with us that I know in the world, which was largely and wisely held forth to you this day,—Israel's bringing out of Egypt through a wilderness, by many signs and wonders towards a place of rest: I say, towards it. And that having been so well remonstrated to you this day, is another argument why I shall not trouble you with recapitulation of those things, though they are things that I hope will never be forgotten, because written in better books than those of paper; I am persuaded written in the heart of every good man.

The third reason was this, that which I judge to be the end of your meeting, the great end, which was likewise remembered to you this day, to wit, healing and settling. And the remembering transactions too particularly, perhaps instead of healing (at least in the hearts of many of you) may set the wound fresh a-bleeding.

I must profess this to you (whatever thoughts pass upon me) that if this day, that is this meeting, prove not healing, what shall we do? But as I said before, seeing (I trust) it is in the minds of you all, and much more in the mind of God, which must cause healing,—it must be first in his mind, and he being pleased to put it into yours it will be a day indeed, and such a day as generations to come will bless you for,—I say for this and the other reasons, have I forborne to make a particular remembrance and enumeration of things, and of the manner of the Lord's bringing us through so many changes and turnings, as have passed upon us.

Howbeit, I think it will be more than necessary to let you know (at the least so well as I may) in what condition this, nay these nations were, when this government was undertaken.

For order sake, it's very natural for us to consider, what our condition was in civils, in spiritualls. What was our condition? Every man's hand (almost) was against his brother, at least his heart, little regarding anything that should cement and might have a tendency in it to cause us to grow into one. All the dispensations of God, his terrible ones, (he having met us in the way of his judgment in a ten years' civil war, a very sharp one, his merciful dispensations, they did not, they did not work upon us, but we had our humours and interests; and indeed I fear our humours were more than our interests. And certainly as it fell out, in such cases, our passions were more than our judgments.

Was not everything (almost) grown arbitrary? Who knew where, or how to have right, without some obstruction or other intervening? Indeed, we were almost grown arbitrary in everything.

What was the face that was upon our affairs as to the interest of the nation? to the authority of the nation? to the magistracy? to the ranks and orders of men, whereby England hath been known for hundreds of years? A nobleman, a gentleman, a yeoman? (That is a good interest of the nation and a great one.) The magistracy of the nation, was it not almost trampled under foot, under despite and contempt by men of Levelling principles?

I beseech you, for the orders of men and ranks of men, did not that Levelling principle tend to the reducing all to an equality? Did it think to do so, or did it practise towards it for propriety [property] and interest? What was the design, but to make the tenant as liberal a fortune as the landlord? Which I think, if obtained, would not have lasted long! The men of that principle,

after they had served their own turns, would have cried up interest and property then fast enough.

This instance is instead of many, and that it may appear that this thing did extend far, is manifest, because it was a pleasing voice to all poor men, and truly not unwelcome to all bad men. To my thinking, it is a consideration that, in your endeavours after settlement, you will be so well minded of, that I might well have spared this; but let that pass.⁸

Indeed in spiritual things, the case was more sad and deplorable, and that was told to you this day eminently. The prodigious blasphemies; contempt of God and Christ, denying of him, contempt of him and his ordinances and of the Scriptures: a spirit visibly acting those things foretold by *Peter* and *Jude*; yea, those things spoken of by *Paul* to *Timothy*, who, when he would remember some things to be worse than the Antichristian state, of which he had spoken in the first to *Timothy*,⁹ tells them what should be the lot and portion of the last times, and says,¹⁰ *In the last days perilous times should come; for men should be lovers of their own selves, covetous, boasters, proud, blasphemers, disobedient to parents, unthankful, &c.* And when he remembers that of the Antichristian state, he tells them,¹¹ That in the latter days that state shall come in, *wherein there shall be a departing from the faith, and a giving heed to seducing spirits and doctrines of devils, speaking lies in hypocrisy, &c.*; by which description he makes the state of the last times worse than that under Antichrist. And surely it may well be feared these are our times. For when men forget all rules of law and nature, and break all the bonds that fallen man hath upon him, the remainder of the image of God in his nature, which he cannot blot out and yet shall endeavour to blot out, having a form of godliness without the power, these are sad tokens of the last times.

And indeed the character wherewith this spirit and principle is described in that place [of Scripture] is so legible and visible, that he that runs may read it to be amongst us: for by such the grace of God is turned into wantonness, and Christ and the Spirit of God made the cloak of all villany and spurious apprehensions. And although these things will not be owned publicly as to practice, (they being so abominable and odious) yet how this principle extends itself and whence it had its rise, makes me to think of a second sort of men, who it's true, as I said, will not practise nor own these things, yet can tell the magistrate that he hath nothing to do with men thus holding, for these are matters of conscience and opinion, they are matters of religion; what hath the magistrate to do with these things? He is to look to the outward man, but not to meddle with the inward. And truly it so happens that though these things do break out visibly to all, yet the principle wherewith these things are carried on, so forbids the magistrate to meddle with them, as it hath hitherto kept the offenders from punishment.

Such considerations and pretensions of liberty, liberty of conscience and liberty of subjects, two as glorious things to be contended for as any God hath

⁸ John Spittlehouse undertook to answer Cromwell's attack on the Fifth Monarchsists and Levellers in *An Answer to one part of the Lord Protector's Speech*.

⁹ *Timothy*, iv. 1,2.

¹⁰ *Ibid.*, iii. 2,3,4.

¹¹ *Ibid.*, iv. 1,2.

given us, yet both these also abused for the patronizing of villanies, insomuch as that it hath been an ordinary thing to say and in dispute to affirm, that it was not in the magistrate's power, he had nothing to do with it, not so much as the printing a Bible to the nation for the use of the people, lest it be imposed upon the consciences of men; for they must receive the same traditionally and implicitly from the power of the magistrate, if thus received.

The aforementioned abominations did thus swell to this height amongst us.

The axe was laid to the root of the Ministry; it was Antichristian, it was Babylonish. It suffered under such a judgment, that the truth of it is, as the extremity was great on that, I wish it prove not so on this hand. The extremity was, that no man having a good testimony, having received gifts from Christ, might preach if not ordained. So now, many are [affirm] on the other hand, that he who is ordained, hath a nullity or Antichristianism stamped upon his calling, so that he ought not to preach or not be heard.

I wish it may not too¹² justly be said that there was severity and sharpness, yea, too much of an imposing spirit in matter of conscience, a spirit unchristian enough in any times, most unfit for these, — denying liberty to those who have earned it with their blood, who have gained civil liberty, and religious also, for those who would thus impose upon them.

We may reckon among these, our spiritual evils, an evil that hath more refinedness in it, and more colour for it, and hath deceived more people of integrity than the rest have done. For few have been catched with the former mistakes, but such as have apostatized from their holy profession, such as being corrupt in their consciences, have been forsaken by God and left to such noisome opinions. But, I say, there are others more refined, many honest people, whose hearts are sincere, many of them belonging to God, and that is the mistaken notion of the Fifth Monarchy. A thing pretending more spirituality than anything else. A notion I hope we all honour, wait, and hope for, that Jesus Christ will have a time to set up his reign in our hearts, by subduing those corruptions and lusts and evils that are there, which reign now more in the world than, I hope, in due time they shall do. And when more fullness of the Spirit is poured forth to subdue iniquity and bring in everlasting righteousness, then will the approach of that glory be. The carnal divisions and contentions amongst Christians, so common, are not the symptoms of that kingdom.

But for men to entitle themselves, upon this principle, that they are the only men to rule kingdoms, govern nations, and give laws to people; to determine of property and liberty and everything else, upon such a pretence as this is: truly, they had need give clear manifestations of God's presence with them, before wise men will receive or submit to their conclusions. Besides, certainly though many of these men have good meanings, as I hope in my soul they have, yet it will be the wisdom of all knowing and experienced Christians to do as Jude saith, (when he had reckoned up those horrible things done upon pretences, and happily by some upon mistakes.) *Of some, says he, have compassion, making a difference; others save with fear, pulling them out of the fire.*¹³ (I fear they will give opportunity too often for this exercise,) and I hope the same will be for their good.

¹² 'too to' in text.

¹³ *Jude, 22, 23.*

If men do but pretend for justice and righteousness, and be of peaceable spirits and will manifest this, let them be the subjects of the magistrate's encouragement. And if the magistrate by punishing visible miscarriages save them by that discipline, (God having ordained him for that end,) I hope it will evidence love, and no hatred, to punish where there is cause.

Indeed, this is that which doth most declare the danger of that spirit; for if these were but notions, — I mean the instances that I have given you both of civil considerations and spiritual, — if, I say, they were but notions, they were to be let alone. Notions will hurt none but them that have them. But when they come to such practices, as to tell us that liberty and property are not the badges of the kingdom of Christ, and tell us that instead of regulating laws, laws are to be abrogated, indeed subverted, and perhaps would bring in the Judaical law instead of our known laws settled amongst us, — this is worthy of every magistrate's consideration, especially where every stone is turned to bring confusion. I think, I say, this will be worthy of the magistrate's consideration.

Whilst these things were in the midst of us, and the nation rent and torn in spirit and principle from one end to another after this sort and manner I have now told you, — family against family, husband against wife, parents against children, and nothing in the hearts and minds of men but overturning, overturning, overturning, (a Scripture very much abused and applied to justify unpeaceable practices by all men of discontented spirits,) the common adversary in the meantime he sleeps not, and our adversaries in civil and spiritual respects did take advantages at these divisions and distractions, and did practise accordingly in the three nations of England, Scotland, and Ireland.

We know very well that emissaries of the Jesuits never came in these swarms, as they have done since these things were set on foot. And I tell you that divers gentlemen here can bear witness with me how that they have had a Consistory abroad, that rules all the affairs of things in England, from an archbishop with other dependants upon him. And they had fixed in England (of which we are able to produce the particular Instruments, in most of the limits of the cathedrals,) an episcopal power, with archdeacons, &c., and had persons authorized to exercise and distribute those things, who pervert and deceive the people. And all this while we were in this sad and, as I said, deplorable condition.

In the meantime all endeavours possible were used to hinder the work in Ireland, and the progress of the work of God in Scotland, by continual intelligences and correspondences both at home and abroad, from hence into Ireland, and from hence into Scotland. Persons were stirred up and encouraged from these divisions and discomposure of affairs, to do all they could to encourage and foment the war in both those places.

To add yet to our misery, whilst we were in this condition, we were in war, deeply engaged in a war with the Portugal [Portuguese], whereby our trade ceased; and the evil consequences by that war were manifest and very considerable.

And not only this, but we had a war with Holland, consuming our treasure, occasioning a vast burden upon the people; a war that cost this nation full as much as the taxes came unto. The navy being one hundred and sixty ships, which cost this nation above one hundred thousand pounds a month, besides

the contingencies which would make it six score thousand pounds a month. That very one war did engage us to so great a charge.

At the same time also we were in a war with France. . The advantages that were taken at the discontents and divisions among ourselves, did also foment that war, and at least hinder us of an honourable peace, every man being confident that we could not hold out long. And surely they did not calculate amiss, if the Lord had not been exceeding gracious to us.

I say at the same time we had a war with France. And besides the sufferings in respect of the trade of the nation, it's most evident, that the purse of the nation had not been possibly able longer to bear it, by reason of the advantages taken by other States to improve their own and spoil our manufacture of cloth and hinder the vent thereof, which is the great staple commodity of this nation.

This was our condition; spoiled in our trade, and we at this vast expense, thus dissettled at home, and having these engagements abroad.

These things being thus, (as I am persuaded it is not hard to convince every person here, they were thus,) what a heap of confusions were upon these poor nations! And either things must have been left to have sunk into the miseries these premises would suppose, or a remedy must be applied.

A remedy hath been applied; that hath been this government; a thing I shall say little unto. The thing is open and visible, to be seen and read by all men, and therefore let it speak for itself.

Only let me say this, — because I can speak it with comfort and confidence, before a greater than you all, that is, before the Lord, — that in the intention of it, as to the approving our hearts to God, let men judge as they please, it is calculated for the interest of the people, for the interest of the people alone and for their good, without respect had to any other interest. And if that be not true, I shall be bold to say again, let it speak for itself.

Truly I may (I hope humbly before God and modestly before you) say somewhat on the behalf of the government. That is, (not to discourse of the particular heads of it,) to acquaint you a little with the effects of it; and that not for ostentation sake, but to the end that I may deal at this time faithfully with you by acquainting you with the state of things and what proceedings have been upon this government, that so you may know the state of our affairs. This is the main end of my putting you to this trouble.

It hath had some things in desire, and it hath done some things actually. It hath desired to reform the laws, to reform them; and for that end, it hath called together persons (without reflection) of as great ability and as great integrity as are in these nations, to consider how the laws might be made plain and short, and less chargeable to the people, how to lessen expense for the good of the nation. And those things are in preparation and bills prepared, which in due time, I make no question, will be tendered to you. There hath been care taken to put the administration of the laws into the hands of just men, men of the most known integrity and ability.

The Chancery hath been reformed, — and I hope to the just satisfaction of all good men, — and the things depending there, which made the burden and work of the honourable persons intrusted in those services beyond their ability; it hath referred many of them to those places where Englishmen love to have their rights tried, the Courts of Law at Westminster.

It hath endeavoured to put a stop to that heady way (touched of likewise this day) of every man making himself a Minister and a preacher. It hath endeavoured to settle a way for the approbation of men of piety and ability for the discharge of that work. And I think I may say, it hath committed that work to the trust of persons, both of the Presbyterian and Independent judgments, men of as known ability, piety, and integrity, as I believe any this nation hath. And I believe also that in that care they have taken, they have laboured to approve themselves to Christ, the nation, and their own consciences. And indeed I think if there be anything of quarrel against them, it is, (though I am not here to justify the proceedings of any) I say it is that they go upon such a character as the Scripture warrants to put men into that great employment; and to approve men for it, who are men that have received gifts from Him that ascended up on high, and gave gifts for the work of the Ministry and for the edifying of the body of Christ.

It hath taken care, we hope, for the expulsion of all those who may be judged any way unfit for this work, who are scandalous, and who are the common scorn and contempt of that administration.

One thing more this government hath done. It hath been instrumental to call a free Parliament, which, blessed be God, we see here this day. I say a free Parliament; and that it may continue so, I hope is in the heart and spirit of every good man in England, save such discontented persons as I have formerly mentioned. It is that which, as I have desired above my life, I shall desire to keep it so above my life.

I did before mention to you the plunges we were in, in respect of foreign states, by the war with Portugal, France, with the Dutch, the Dane; and the little assurance we had from any of our neighbours round about. I perhaps forgot it, but indeed it was a caution upon my mind, and I desire that it might be so understood, that if any good hath been done, it was the Lord, not we his poor instruments.

I did instance in the wars which did exhaust your treasure and put you into such a condition, that you must have sunk therein, if it had continued but a few months longer. This I dare affirm, if strong probability can give me a ground.

You have now (though it be not the first in time) peace with Sweathland, an honourable peace, through the endeavours of an honourable person here present as the instrument. I say you have an honourable peace with a kingdom that not many years since was much a friend to France, and lately perhaps inclinable enough to the Spaniard. And I believe you expect not very much good from any of your Catholic neighbours, nor yet that they would be very willing you should have a good understanding with your Protestant friends. Yet thanks be to God that peace is concluded, and as I said before it is an honourable peace.

You have a peace with the Dane, a State that lay contiguous to that part of this Island which hath given us the most trouble. And certainly if your enemies abroad be able to annoy you, it is likely they will take their advantage where it best lies, to give you trouble there. But you have a peace there, and an honourable one; satisfaction for your merchants' ships, not only to their content, but to their rejoicing. I believe you will easily know it is so.

You have the Sound open, which was obstructed. That which was and is the strength of this nation, the shipping, will now be supplied thence. And whereas you were glad to have anything of that kind at the second hand, &c., you have all manner of commerce, and at as much freedom as the Dutch themselves, there, and at the same rates and toll. And I think I may say, by that peace they cannot raise the same upon you.

You have a peace with the Dutch; a peace unto which I shall say little, because so well known in the benefit and consequences of it. And I think it was as desirable and as acceptable to the spirit of this nation, as any one thing that lay before us. And as I believe nothing so much gratified our enemies as to see us at odds, so, I persuade myself, nothing is of more terror nor trouble to them, than to see us thus reconciled.

As a peace with the Protestant States hath much security in it, so it hath as much of honour and of assurance to the Protestant interest abroad, without which no assistance can be given thereunto. I wish it may be written upon our hearts to be zealous for that interest, for if ever it were like to come under a condition of suffering, it is now.

In all the Emperor's patrimonial territories, the endeavour is to drive them out as fast as they can; and they are necessitated to run to Protestant States to seek their bread. And by this conjunction of interests I hope you will be in a more fit capacity to help them. And it begets some reviving of their spirits that you will help them as opportunity shall serve. You have a peace likewise with the Crown of Portugal, which peace though it hung long in hand, yet is lately concluded. It is a peace that your merchants make us believe is of good concernment to their trade, their assurance being greater, and so their profit in trade thither, than to other places. And this hath been obtained in that treaty, (which never was since the Inquisition was set up there,) ¹⁴ that our people which trade thither have liberty of conscience.

Indeed peace is, as you were well told to-day, desirable with all men, as far as it may be had with conscience and honour.

We are upon a treaty with France. And we may say this, that if God give us honour in the eyes of the nations about us, we have reason to bless him for it, and so to own it. And I dare say that there is not a nation in Europe, but they are very willing to ask a good understanding with you.

I am sorry I am thus tedious, but I did judge that it was somewhat necessary to acquaint you with these things. And things being thus, I hope you will be willing to hear a little again of the sharp, as well as the sweet. And I should not be faithful to you, nor to the interest of these nations which you and I serve, if I should not let you know all.

As I said before, when this government was undertaken, we were in the midst of these divisions, and animosities, and scatterings; also thus engaged with these enemies round about us, at such a vast charge, six score thousand pounds a month for the very fleet, (which was the very utmost penny of your assessments.) Aye, and then all your treasure was exhausted and spent, when this government was undertaken; all accidental ways of bringing in treasure,

¹⁴ This brought loud applause. (Bordeaux to Brienne, Sept. 7/17, noted in Gardiner, *Comm. and Prot.*, iii, 180.)

to a very inconsiderable sum consumed. That is to say, the lands are sold, the treasures spent, rents, fee-farms, king's, queen's, princes', bishops', dean and chapters', delinquents' lands sold. These were spent when this government was undertaken.

I think it is my duty to let you know so much. And that's the reason why the taxes do lie so heavy upon the people, of which we have abated thirty thousand pounds a month for the next three months. Truly, I thought it my duty to let you know, that though God hath dealt thus with you, yet these are but entrances and doors of hope, wherein through the blessing of God you may enter into rest and peace. But you are not yet entered.

You were told to-day of a people brought out of Egypt towards the land of Canaan, but, through unbelief, murmuring, repining, and other temptations and sins, wherewith God was provoked, they were fain to come back again, and linger many years in the wilderness, before they came to the place of rest.

We are thus far through the mercy of God. We have cause to take notice of it, that we are not brought into misery; but, as I said before, a door of hope [is] open. And I may say this to you; if the Lord's blessing and his presence go along with the management of affairs at this meeting, you will be enabled to put the top-stone to this work, and make the nation happy. But this must be by knowing the true state of affairs, that you are yet like the People under Circumcision, but raw; your peaces are but newly made. And it is a maxim not to be despised, though peace be made, yet it is interest that keeps peace, and I hope you will trust it no further than you see interest upon it. And therefore I wish that you may go forward, and not backward, and that you may have the blessings of God upon your endeavours. It's one of the great ends of calling this Parliament, that this ship of the Commonwealth may be brought into a safe harbour, which I assure you it will not well be without your counsel and advice.

You have great works upon your hands. You have Ireland to look unto; there is not much done towards the planting of it, though some things leading and preparing for it are. It is a great business to settle the government of that nation upon fit terms, such as will bear that work through.

You have had likewise laid before you the considerations intimating your peace with some foreign states, but yet you have not made peace with all. And if they should see we do not manage our affairs as with that wisdom which becomes us, truly we may sink under disadvantages, for all that's done. And our enemies will have their eyes open and be revived, if they see animosities amongst us,— which indeed will be their great advantage.

I do therefore persuade you to a sweet, gracious, and holy understanding of one another, and of your business, concerning which you had so good counsel this day, that indeed as it rejoiced my heart to hear it, so I hope the Lord will imprint it upon your spirits; wherein you shall have my prayers. Having said this, and perhaps omitted many other material things through the frailty of my memory, I shall exercise plainness and freeness with you, in telling you that I have not spoken these things as one that assumes to himself dominion over you, but as one that doth resolve to be a fellow-servant with you, to the interest of these great affairs and of the people of these nations. I shall therefore trouble you no longer, but desire you to repair to your House, and to

exercise your own liberty in the choice of a Speaker, that so you may lose no time in carrying on your work.¹⁵

The speech over, the Protector withdrew to the House of Lords' chamber, now vacant, and thence returned by barge to Whitehall, and Parliament began its work. Its first step was the election of officers. After a short debate, Lenthall — who was reputed to be favored for that position by the Protector — was unanimously chosen Speaker. The old clerk, Henry Scobell, and the Serjeant, Birkhead,¹⁶ were returned to their places, the mace was brought in, and the House was ready for business. Before adjourning that night at eight o'clock, it appointed a fast-day and there was read an act against Sunday elections, fairs or markets.¹⁷ But this first meeting was not without incident. A *Declaration of severall of the Churches of Christ . . .* signed by some 150 Anabaptists, presumably of the Fifth Monarchist group, was to have been presented at this meeting. But the Protector, "who doth not sleep while his enemy watcheth to sow tares," had taken steps to prevent any such untoward event. He had the House closely guarded and called on the members to recognize the government. In consequence most of the disaffected left; the petition was not delivered;¹⁸ and there was averted what might have been an explosive incident. But the very fact of that possibility and the steps taken to prevent it, reveal, among other things, that even among Cromwell's supporters there were elements dangerous not only to the peace of the state but to his own supremacy. As the writer of this report went on to say, the Presbyterians were reconciled, favored by Cromwell and close to the Independents; the Cavaliers, though numerous, were untrustworthy and uncooperative; the Levellers and Anabaptists, much in the minority, were hated by all the other groups. Thanks to the fanatics in their ranks, they were also feared. It was not without reason that the Protector had devoted so much of his speech to them and had taken such steps to prevent the presentation of their petition.¹⁹

¹⁵ *His Highnesse the Lord Protector's Speeches to the Parliament in the Painted Chamber*, The one on Munday the 4th of September; The other on Tuesday the 12. of September. 1654. Taken by one who stood very near him, and Published to prevent mistakes. London, Printed by T.R. and E.M. for G. Sawbridge at the Bible on Ludgate-hill. 1654.

The text is to be found also in *Parl. Hist.*, xx, 318 ff.; Lomas-Carlyle, ii, 339 ff.; Stainer, pp. 127 ff. The substance of the speech is also to be found in *The Speech of his Highnesse the Lord Protector to the Parliament in the Painted Chamber at Westminster*, on Munday last, being the fourth of this instant September, 1654. Examined by the Original Copy; Published by Order and Authority. London, Printed for G. Freeman, 1654.

¹⁶ *Parl. Hist.*, xx, 334.

¹⁷ C. J., vii, 365-6; Burton, i, xx-xxi; *Sev. Proc.*, Aug. 31-Sept. 7.

¹⁸ George Greene to a friend, Sept. 23, 25, Macray, ii, 396-7.

¹⁹ In addition to these events, on Sept. 5 Captain — or Colonel — John Leverett,

It was apparently at this moment that the Protector turned from the pressing problems of the new Parliament to write a letter of thanks and compliment to the Spanish minister, Louis Mendez de Haro, count and duke of Olivares, a letter whose character, in the light of the various steps which had been taken in regard to Anglo-Spanish relations, seems something less than ingenuous:

To the most Illustrious Lord, Lewis Mendez de Haro

What we have understood by your letters, most illustrious lord, that there is an ambassador already nominated and appointed by the most serene king of Spain, on purpose to come [at the first opportunity] and congratulate our having undertaken the government of the republic, is not only deservedly acceptable of itself, but rendered much more welcome and pleasing to us by your singular affection, and the speed of your civility, as being desirous we should understand it first of all from yourself. For, to be so beloved and approved by your lordship, who by your virtue and prudence have obtained so great authority with your prince, as to preside, his equal in mind, over all the most important affairs of that kingdom, ought to be so much the more pleasing to us, as well understanding that the judgment of a surpassing person cannot but be much to our honour and ornament. Now as to our cordial inclinations toward the king of Spain, and ready propensity to hold friendship with that kingdom, and increase it [day by day] to a stricter perfection, we hope we have already satisfied the present ambassador, and shall more amply satisfy the other, so soon as he arrives. As to what remains, most illustrious lord, we heartily wish the dignity and favour, wherein you now flourish with your prince, perpetual to your lordship; and whatever affairs you carry on for the public good, may prosperously and happily succeed.

Your illustrious lordship's most affectionate,
OLIVER, &c.²⁰

Whitehall [4[?]] Sept. 1654.

But with all the concern for foreign affairs evidenced in the activities of the preceding twelvemonth and expressed in the Protector's speech to the new Parliament, the chief interest of his government was naturally that assembly. On its success or failure depended not, indeed, the stability of his government, for that rested on the army and his own per-

then agent for Massachusetts, wrote to tell of the capture of Port Royal, St. John's and Penobscot from the French, and the popularity of the Protectorate in New England on account of its quarrel with France; and Monk wrote from Scotland in regard to bonds of Lowland youths sent in as hostages. Cp. Thurloe, ii, 583-84; and Firth, *Scotland and the Protectorate*, p. 173.

²⁰ Symmons, *Milton*, iv, 374-5; Milton, *Works* (Columbia), xiii, no. 47; No. 29 in Skinner Transcripts (where exact date is given. Month only is given elsewhere except in Hamilton, *Milton Papers*, p. 15, and Masson, *Milton*, v, 165). Skinner Trans. has "Westminster" instead of "Whitehall." Pr. in Vischer's ed. of Leti's *Cromwell*, ii, 237-8, dated July 13, 1654. It was certainly after Aug. 16, for on that day Cardenas asked Thurloe for an answer to de Haro's letter.

sonal ascendancy, but both the course and form his administration should take. Would it be possible to fulfil the purpose of the *Instrument of Government*, to replace the Stuart monarchy with a new system such as he and his advisers were then endeavoring to establish? Would it be possible, above all, to reconcile what was, in effect, a military dictatorship with a Parliamentary system? This was the great question of the moment and the answer to it depended in no small measure on what happened in this new "free" Parliament and how it conducted itself in relation to the Protector.

It had begun its work simply enough with innocuous proposals for a fast-day and the reading of an Act against Sunday elections, fairs and markets — though even in that there lurked a scarcely veiled reflection on a ruler who had summoned Parliament to meet on the Lord's day. It proceeded with an equally harmless proclamation, issued in the Protector's name, setting September 26 as the last day on which election petitions would be received by the Committee of Privileges.²¹ But with this, all formal action ceased and the basis of controversy was laid. It began with Haselrig's suggestion that the Parliament devote its especial attention to the establishment of one good form of religion, which, if accompanied by the dissolution of many sects, would furnish a firm foundation for religious and political peace. Such a suggestion opened the way for an infinity of controversy. If that "one good form of religion" happened to be Presbyterianism — as the members of that party might have hoped in view of the establishment of that system earlier — it would do much to reconcile them to the new system.²² If it were some other form dictated by the Independents, it would leave the Presbyterians exactly where they were. Anglicanism was, of course, out of the question and none of the lesser sects had strength or numbers to prevail. But it was evident that some new form of church organization was on the way and over its establishment, it was no less evident, there was bound to be bitter controversy.

Even this suggestion from Haselrig was not the most important incident of the proceedings. At this point a Councillor — probably Lawrence²³ — asked that the Parliament discuss the *Instrument of Government*, and a motion to take up that question on the next day was passed. With that the Protectorate faced, it even seems to have welcomed, the prospect of a challenge to its authority. The whole problem of the character, even the legality, of the existing system was to be brought into the open and determined once for all. But the supporters of the Pro-

²¹ Published proclamation in British Museum, Bodleian, P.R.O. *Ordinances*; cp. also Burton, i, xx; *C. J.*, vii, 366; *Parl. Hist.*, xx, 334; Crawford, i, 367.

²² Bordeaux to Brienne, Sept. 7/17, *Fr. Trans. R. O.*; Burton, i, xvi.

²³ Cp. Gardiner, *Comm. and Prot.*, iii, 182n.

tectorate were not averse to a trial of strength, secure in the knowledge that, whatever the outcome of the debate, they still controlled the source of authority, the army.

The *Instrument of Government* provided that the government should "reside in one person and the people assembled in Parliament"; that the head of the administration should be styled Lord Protector; and that, "with the advice of the majority of his Council, he should have the right to summon Parliament." It was not, perhaps, to the point to inquire what made this the law of the land, who empowered its authors to set up such a system, what was their mandate, what authority it possessed, and who made Cromwell Lord Protector. But it was much to the point, now that this was done, to determine what the Protector's powers were, what place Parliament had in this system, what were to be the relations between Parliament and Protector, and, above all, which of them was the "supreme authority." These were the natural and fundamental questions which presented themselves to legal, Parliamentary minds, and to many minds neither legal nor Parliamentary. As every one knew, the existing system rested on the power of the army and its commander and the will of a handful of army leaders among whom Cromwell's was the deciding voice. It had no real validity beyond that fact. It had not been framed by any body with constitutional, legal or even popular authority. It had no mandate from the people or its elected representatives, nor custom, nor tradition, nor precedent behind it. It was the product of force. But such is the nature of man that it seems necessary to rationalize such situations, to clothe them in some constitutional garb, however ill-fitting and however transparent, to give them some seemingly logical basis, however fallacious. This seemed especially necessary at this moment, for though Royalists were excluded from the House by the *Instrument*, in some cases that provision had been evaded or ignored and there had been returned, besides, enough Republicans and Parliamentarians to challenge the very foundations of the Protectorate and the authority of the Protector, who, they felt, had betrayed the "good old cause" in which they had all enlisted.

Thus as the champions of Parliament prepared to point out the defects of title in the Protectorate, its members, the army leaders and the "court" party of Cromwellian officers and officials, rallied to its support, and there began on Wednesday, September 6, 1654, a debate on the foundations of authority which was one of the longest and most interesting of the whole period. It echoed the arguments and passions of those controversies which more than twenty years earlier had challenged the power of the Stuart monarchy. It echoed no less those discussions in the army councils which preceded the overthrow of that monarchy. It was introduced by a significant suggestion that the treason ordinance issued by the Protector and Council in the preceding January might well

hinder the freedom of debate, in that it adjudged it to be high treason to assert that the supreme authority did not lie in the Protector and Parliament, or that the chief magistracy and administration did not lie in the Protector and his Council. It was apparently Haselrig who moved that "notwithstanding that Ordinance, the House was free to debate the Government." That motion was rejected by 187 to 130 on the ground that even to assert the right of the House to debate anything would be to weaken its authority by implication.²⁴

Interrupted by consideration of the Protector's opening speech, Whitelocke's account of his embassy to Sweden,²⁵ and the insistence of the House that it should judge the election returns, not have them determined by the Protector and Council, the great debate was resumed on Thursday with a struggle between the Parliamentarians and the Protectoral party over the question of turning the House into a committee of the whole. That question the Parliamentarians carried by a vote of 141 to 136, which indicates how great was the attendance and how narrow the margin between the contending factions.²⁶ This determined, the attack on the Protectoral system began. It took the familiar lines of all such controversies between the executive and legislative organs of administration, but it had features characteristic of the peculiar circumstances of the situation. On the one hand the Parliamentarians argued that the House was, in fact, the people of England, and so the real, final and fundamental "supreme authority," not inferior to the ruler, whoever or whatever he might be. On the other hand, the Protectoral champions declared that the House had been summoned by the Protector and chosen under an indenture which provided that no effort be made to change the form of government. They declared that there was a necessity for an executive like the Protector to prevent Parliament exceeding its powers, to check an authority which had no other limitations, and might well prove "arbitrary" or even perpetuate itself indefinitely, as, it had been charged, the old Long Parliament had attempted. Further, "it could not be expected that he would lay down his sword, and subject himself to the will of a Parliament, wherein he should be denied equal power and co-ordination."²⁷

Thus the great argument began. Was Parliament or the Protector the "supreme authority"? To Parliamentarians and Republicans, to all opponents of dictatorship there could be but one answer. It was that, in

²⁴ Burton, i, xxiii; *C. J.*, vii, 366-7; Whitelocke, p. 600; Bordeaux to Brienne, Sept. 7/17, *Fr. Trans. R. Q.*; Gardiner, *Comm. and Prot.*, iii, 183; *Parl. Hist.*, xx, 334.

²⁵ Whitelocke informed Cromwell of Christina's intention of coming to England, but Cromwell refused to encourage her in that design, saying that her "course of life" would make her a bad example, despite Whitelocke's denials. Whitelocke, p. 599.

²⁶ Burton, i, xxiv; *Parl. Hist.*, xx, 348.

²⁷ *n.*

the last resolution, sovereignty resided in Parliament as the "property and representative" of the whole people. To the Cromwellians this was, if not inconceivable, at least inadmissible, for the facts were on their side. The Protector was the head of the army and so the head of the state, and the House sat by his summons and under his authority. It was the old argument of the 1640's adapted to the new situation. Then the dispute lay between King and Commons, now it lay between Parliament and Protector, and it was noted that some who had taken part in that earlier debate stood forth in this, though of them some like Scot and Haselrig, who had been the "greatest and highest infringers of the freedom and privileges" of the old Long Parliament, now championed the cause of this new assembly, while some who now "argued highest for the single person" had earlier fought hardest for Parliament against the King.²⁸ Whatever the change in personal opinion, arguments and passions not only echoed those of twenty years before, they were sharpened by personal animosities and by the fact that Cromwell had no such legal, traditional or constitutional position as the Stuart kings possessed, that he had led these men to the overthrow of monarchy only to enjoy its authority himself.

In fact the animosities were so strong and passions ran so high at the outset of the great debate that any peaceful conclusion seemed impossible. But time, argument, and perhaps exhaustion, did their work, though at the expense of the Protectoral champions. By Saturday evening it appeared that, on the whole, they had lost ground, though it appeared further that there was a tendency to "distinguish the word 'Government' into the legislative and the executive power," the former being the "fundamental privilege of the people," the latter being a "communicable" or delegated authority. The Protectoral party, driven from the high position which it had first taken up, seemed prepared for some sort of compromise though still contending for some authority like that of the Protector to prevent Parliament's perpetuating itself, controlling the militia, and determining the religious system in accordance with its own ideas. Thus with suggestions of "co-ordination" between Parliament and Protector, the debate ended for the time with the imminence of the Sabbath.²⁹

Meanwhile the Protector had pursued the duties of his office, though always with a keen eye on the doings of the House. On September 7 he approved five Council orders.³⁰ Three days later it was reported that he renounced any thought of being proclaimed king;³¹ and it was noted

²⁸ *Ibid.*, p. xxv.

²⁹ *Ibid.*, pp. xxvi-xxvii; Ludlow, *Memoirs*, i, 39.

³⁰ *Cal. S. P. Dom.* (1654), p. 365.

³¹ Paulucci to Sagredo, Sept. 10/20, *Cal. S. P. Ven.* (1653-4), p. 260.

that on Sunday prayers were offered from many pulpits that Parliament might be strengthened and receive wisdom and zeal but that there was "not much concerning the single person" in the ministers' discourses.³² Meanwhile, too, passions had begun to cool. Time had brought reflection and an appreciation of the arguments and the strength of either side, so that when debate began again on Monday it was less heated than before. The Protectoral party, still arguing the necessity of a single executive as a check on Parliament and as an administrative necessity, agreed that control of the militia might be divided between Parliament and Protector, though contending that religious freedom must be preserved from Parliamentary interference and that a legislative body, being the sole judge of every one else, might well fail to be a check upon itself. They divided the question into two parts, the so-called "*verum*" and "*bonum*," the truth and the expediency of the situation. Reverting to an old argument, they insisted that divine Providence had approved the existing system, "the sword, and present power, all being of God." They urged that the addresses from the counties and cities proved the "approbation of the nation," and that the acceptance of the terms of the election indentures proved that the nation had agreed not to alter the system of government.³³

To this their opponents retorted that the supreme authority was vested in the people, that it could be trusted nowhere more safely than to Parliament, and that to share it even with the Protector would produce rivalry, inaction and conflict. They proved this by citing the example of the "usurpation upon the common right" of the old monarchy, which had "caused the nation to alter it." To the argument of divine favor expressed by success in war, they replied that "the providences of God are like a two-edged sword, which may be used both ways," and that, measured by mere evidence of the sword, "the Grand Turk may make a better title than any Christian princes." As to the addresses, they declared, they had no reference to the present government but only to deliverance from the "extremities and confusions . . . [of] the little convention or assembly." As to the election indentures they observed pointedly that these had been "calculated at Court; and if . . . [they] had not been sent down" from there they would never have been considered. They were, moreover, void, for the people "when they had conferred their trust, could not limit their trustees."³⁴ Moreover the electors were only a minority of the people who could not all be bound even by the voice of the electors. Finally it was urged with much force that there was no apparent "necessity" such as had been pretended. The foundation of the government of England lay in Parliament and if that

³² Burton, i, xxvii.

³³ *Ibid.*, p. xxix.

³⁴ *Ibid.*, p. xxx.

foundation were not good, "the Parliament, and all that acted with it, since the time that the King first left it, were the greatest and most infamous regicides and murtherers and villains in the world"³⁵ — a sentiment with which the Royalists would have agreed without qualification.

Such were the arguments advanced in this great debate, such the challenge to the Protectorate, and such was its defence. As its reporter said, men argued "as if they had been in the schools, where each man had liberty to propose his own Utopia," instead of facing the grim realities of politics as they then stood. Between the two extremes, however, there lay, as usual, a middle way. Its party, of which Hale acted as spokesman, advocated Parliament as a body to which the "single person" should be responsible, by which that person should be restrained,³⁶ and who might, in turn, restrain the Parliament in the control of the militia, in religion, and in serving to prevent the perpetuation of its own existence — in brief that separation of powers with which we have long since been familiar. Under this plan the legislative power was to be left to the Parliament, the executive functions to the "single person." As a means of securing Parliamentary control, it was suggested that the House should elect the Council every three years.³⁷ It was even suggested that Cromwell surrender his commission as general of the army and concern himself only with civil affairs, and that Parliament should elect the commander of the armed forces.³⁸ How deep and bitter was the debate and how greatly men had changed their parts in the preceding years was evidenced by the amazing declaration attributed to the president of the old High Court of Justice, Bradshaw, who had condemned Charles I to death, that if he must have a master, he would prefer Charles to Oliver.³⁹ Yet in a sense such a declaration was not out of character, for many men like him felt themselves betrayed. As Ludlow wrote, in their opinion England seemed about "to attain in a short time that measure of happiness which humane things are capable of, when by the ambition of one man the hopes and expectations of all good men were disappointed."⁴⁰ This was the opportunity of those men, most probably their last, to express their resentment, and they took full advantage of it.

With such bitterness and uncompromising opposition to the Protectoral system and to Cromwell himself, it seemed conceivable that, if the matter rested in the hands of Parliament, his opponents might be able

³⁵ *Ibid.*, p. xxxi.

³⁶ *Ibid.*, p. xxxii.

³⁷ Bordeaux to Brienne, Sept. 14/24, *Fr. Trans. R. O.*

³⁸ Paulucci to Morosini, Sept. 18/28, *Ven. Trans. R. O.*

³⁹ Gardiner, *Comm. and Prot.*, iii, 186.

⁴⁰ Ludlow, *Memoirs*, i, 343.

to reduce Cromwell's authority to such a point that his position would become impossible. It had become evident after five days of debate that any arrangement between the Parliamentarians and the Protectoral party was virtually out of the question. Had the result hinged on the issue of the debate, Cromwell might well have been overthrown. Yet, as every one knew, the final decision did not lie with the Parliament. Thus far the Protector had held aloof from any open share in the great controversy; but he was still the head of the army and the government, and he had still to be heard from. It was evident that the time had come to assert himself, and on the morning of September 12 he notified the Speaker that he would meet the members in the Painted Chamber before they began that day's session. At his request, the Lord Mayor of London had set guards about the Parliament house, nominally to prevent disorder; and, accompanied by his own guards and halberdiers, on that morning the Protector went by barge from Whitehall to Westminster.

He arrived at the Painted Chamber about ten o'clock, and there addressed the members for an hour and a half. It was evident from his speech that he had been kept fully informed of the proceedings in the House, and his speech followed closely along the lines of the arguments already advanced. His first words made his position clear. Whatever some of his hearers may have thought of his continual insistence that he had neither sought nor desired the position which he held, he made it plain that he intended to continue in it. Whatever their opinion of the argument of popular support for it which he adduced, it was no less clear that though this was a "free" Parliament, he was its master and would oppose any change in "fundamentals." Specifically he required their signatures to a document which he had prepared and which they would find in the outer lobby, acknowledging his authority and agreeing to be faithful to him and not to propose or consent to any alteration in the government:

His Highnesse the Lord Protector's speech to the Parliament in the Painted Chamber, on Tuesday, the 12th of September, 1654

Gentlemen,

It is not long since I met you in this place, upon an occasion which gave me much more content and comfort than this doth.

That which I have to say to you now will need no preamble to let me into my discourse, for the occasion of this meeting is plain enough. I could have wished with all my heart there had been no cause for it.

At that meeting I did acquaint you what the first rise was of this government which hath called you hither, and in the authority of which you came hither.

Among other things that I told you of then, I said you were a free Parliament. And so you are, whilst you own the government and authority that

called you hither. For certainly that word implied a reciprocation, or it implied nothing at all.

Indeed there was a reciprocation implied and expressed, and I think your actions and carriages ought to be suitable.

But I see it will be necessary for me now a little to magnify my office, which I have not been apt to do. I have been of this mind, I have been always of this mind, since first I entered upon it, that if God will not bear it up, let it sink! But if a duty be incumbent upon me to bear my testimony unto it, (which in modesty I have hitherto forborne,) I am in some measure now necessitated thereunto. And therefore that will be the prologue to my discourse.

I called not myself to this place. I say again, I called not myself to this place; of that, God is witness. And I have many witnesses who, I do believe, could readily lay down their lives to bear witness to the truth of that, that is to say, that I called not myself to this place. And being in it, I bear not witness to myself; but God and the people of these nations have borne testimony to it also.

If my calling be from God, and my testimony from the people, God and the people shall take it from me, else I will not part with it. I should be false to the trust that God hath placed upon me, and to the interest of the people of these nations, if I should.

That I called not myself to this place, is my first assertion.

That I bear not witness to myself, but have many witnesses, is my second.

These are the two things I shall take the liberty to speak more fully to you of.

To make plain and clear that which I have said, I must take liberty to look back.

I was by birth a gentleman, living neither in any considerable height, nor yet in obscurity. I have been called to several employments in the nation,—to serve in Parliaments,—and (because I would not be over tedious) I did endeavour to discharge the duty of an honest man in those services, to God, and His people's interest, and of the Commonwealth; having, when time was, a competent acceptance in the hearts of men, and some evidences thereof. I resolve not to recite the times and occasions and opportunities that have been appointed me by God to serve him in, nor the presence and blessings of God bearing then testimony to me.

I, having had some occasions to see (together with my brethren and countrymen) a happy period put to our sharp wars and contests with the then common enemy, hoped, in a private capacity, to have reaped the fruit and benefit, together with my brethren, of our hard labours and hazards: to wit, the enjoyment of peace and liberty, and the privileges of a Christian and of a man, in some equality with others, according as it should please the Lord to dispense unto me.

And when, I say, God had put an end to our wars, at least brought them to a very hopeful issue, very near an end, (after Worcester fight) I came up to London to pay my service and duty to the Parliament that then sat. And hoping that all minds would have been disposed to answer that which seemed to be the mind of God, (*viz.*) to give peace and rest to His people, and especially to those who had bled more than others in the carrying on of the military affairs, I was much disappointed of my expectation, for the issue did not prove so. Whatever may be boasted or misrepresented, it was not so, nor so.

I can say in the simplicity of my soul, I love not, I love not, (I declined it in my former speech) I say I love not to rake into sores or to discover nakednesses. That which I drive at is this; I say to you, I hoped to have had leave to have retired to a private life. I begged to be dismissed of my charge; I begged it again and again. And God be judge between me and all men if I lie in this matter! That I lie not in matter of fact is known to very many; but whether I tell a lie in my heart, as labouring to represent to you that which was not upon my heart, I say, the Lord be judge. Let uncharitable men, that measure others by themselves, judge as they please; as to the matter of fact, I say it is true. As to the ingenuity and integrity of my heart in that desire, I do appeal as before upon the truth of that also. But I could not obtain what my soul longed for, and the plain truth is I did afterwards apprehend that some did think (my judgment not suiting with theirs) that it could not well be. But this, I say to you, was between God and my soul, between me and that assembly.

I confess I am in some strait to say what I could say, and what is true of what then followed.

I pressed the Parliament, as a member, to period themselves, once, and again, and again, and ten and twenty times over. I told them (for I knew it better than any one man in the Parliament could know it, because of my manner of life, which was to run up and down the nation, and so might see and know the temper and spirits of all men, the best of men) that the nation loathed their sitting; I knew it. And, so far as I could discern, when they were dissolved, there was not so much as the barking of a dog, or any general and visible repining at it. You are not a few here present that can assert this as well as myself.

And that there was high cause for their dissolving is most evident, not only in regard there was a just fear of the Parliaments perpetuating themselves, but because it was their design. And had not their heels been trod upon by importunities from abroad, even to threats, I believe there would never have been thoughts of rising or of going out of that room to the world's end.

I myself was sounded, and by no mean persons tempted, and addresses were made to me to that very end, that it might have been thus perpetuated, that the vacant places might be supplied by new elections, and so continue from generation to generation.

I have declined, I have declined very much, to open these things to you; yet having proceeded thus far, I must tell you that poor men under this arbitrary power were driven like flocks of sheep by forty in a morning, to the confiscation of goods and estates, without any man being able to give a reason that two of them had deserved to forfeit a shilling. I tell you the truth. And my soul, and many persons whose faces I see in this place, were exceedingly grieved at these things, and knew not which way to help it, but by their mournings and giving their negatives when occasions served.

I have given you but a taste of miscarriages; I am confident you have had opportunities to hear much more of them, for nothing is more obvious. It's true, this will be said, that there was a remedy to put an end to this perpetual Parliament endeavoured, by having a future Representative. How it was gotten, and by what importunities that was obtained, and how unwillingly yielded unto, is well known.

What was this remedy? It was a seeming willingness to have successive Parliaments. What was that succession? It was, that when one Parliament had left their seat, another was to sit down immediately in the room thereof, without any caution to avoid that which was the danger, (*viz.*) perpetuating of the same Parliaments; which is a sore now that will ever be running, so long as men are ambitious and troublesome, if a due remedy be not found. So then, what was the business? It was a conversion from a Parliament that should have been and was perpetual, to a Legislative Power always sitting; & so the liberties, and interests, and lives of people not judged by any certain known laws and power, but by an arbitrary power, — which is incident and necessary to Parliaments, — by an arbitrary power, I say, to make men's estates liable to confiscation, and their persons to imprisonments, sometimes by laws made after the fact committed, often by taking the judgment both in capital and criminal things to themselves, who in former times were not known to exercise such a judicature.

This I suppose was the case, and in my opinion the remedy was fitted to the disease, especially coming in the rear of a Parliament so exercising the power and authority as this had done but immediately before.

Truly I confess, upon these grounds, and with the satisfaction of divers other persons, seeing nothing could be had otherwise, that Parliament was dissolved. We, desiring to see if a few might have been called together for some short time, who might put the nation into some way of certain settlement, did call those gentlemen out of the several parts of the nation for that purpose.

And as I have appealed to God before you already, I know, (and I hope I may say it) though it be a tender thing to make appeals to God, yet in such exigencies as these I trust it will not offend His Majesty, especially to make them before persons that know God, and know what conscience is, and what it is to lie before the Lord, I say that, as a principal end in calling that assembly was the settlement of the nation, so a chief end to myself was that I might have opportunity to lay down the power that was in my hands. I say to you again, in the presence of that God who hath blessed and been with me in all my adversities and successes, that was, as to myself, my greatest end. A desire perhaps (and I am afraid) sinful enough to be quit of the power God had most providentially put into my hand, before he called for it, and before those honest ends of our fighting were attained and settled. I say, the authority I had in my hand being so boundless as it was, I being by Act of Parliament General of all the forces in the three nations of England, Scotland, and Ireland, (in which unlimited condition I did not desire to live a day,) did call that meeting for the ends before expressed.

What the event and issue of that meeting was, we may sadly remember: it hath much teaching in it, and I hope will make us all wiser for the future.

But this meeting [not] succeeding, as I have formerly said to you, and giving such a disappointment to our hopes, I shall not now make any repetition thereof. Only the effect was, that they came and brought to me a parchment, signed by very much the major part of them, expressing their resigning and re-delivery of the power and authority that was committed to them back again into my hands. And I can say it in the presence of divers persons here, that do know whether I lie in that, that I did not know one tittle of that resignation,

until they all came and brought it, and delivered it into my hands; of this there are also in this presence many witnesses.

I received this resignation, having formerly used my endeavours and persuasions to keep them together. Observing their differences, I thought it my duty to give advices to them, that so I might prevail with them for union, but it had the effect that I told you, and I had my disappointment.

When this was so, we were exceedingly to seek how to settle things for the future. My power again by this resignation was as boundless and unlimited as before; all things being subjected to arbitrariness, and [myself] a person having power over the three nations boundlessly and unlimited, and upon the matter, all government dissolved, all civil administrations at an end, as will presently be made [to] appear.

The gentlemen that undertook to frame this government did consult divers days together, (they being of known integrity and ability,) how to frame somewhat that might give us settlement, and they did so; and that I was not privy to their counsels, they know it.

When they had finished their model in some measure, or made a very good preparation of it, it [they] became communicative. They told me that except I would undertake the government, they thought things would hardly come to a composure and settlement, but blood and confusion would break in upon us. I denied it again and again, as God and those persons know, not complimentingly as they also know and as God knows.

I confess, after many arguments, and after the letting of me know that I did not receive anything that put me into any higher capacity than I was in before, but that it limited me and bound my hands to act nothing to the prejudice of the nations without consent of a Council until the Parliament [met], and then limited [me] by the Parliament as the Act of Government expresseth, I did accept it.

I might repeat this again to you, if it were needful, but I think I need not.

I was arbitrary in power, having the armies in the three nations under my command, and truly not very ill beloved by them, nor very ill beloved then by the people, by the good people. And I believe I should have been more beloved if they had known the truth, as things were before God, and in themselves, and before divers of these gentlemen whom I but now mentioned unto you.

I did, at the entreaty of divers persons of honour and quality, at the entreaty of very many of the chief officers of the army then present, and at their request, I did accept of the place and title of Protector, and was in the presence of the Commissioners of the Seal, the Judges, the Lord Mayor and Aldermen of the City of London, the soldiery, divers gentlemen, citizens, and divers other people and persons of quality, &c., accompanied to Westminster Hall, where I took my oath to this government. This was not done in a corner; it was open and public.

This government hath been exercised by a Council, with a desire to be faithful in all things, and amongst all other trusts to be faithful in calling this Parliament.

And thus I have given you a very bare and lean discourse, which truly I have been necessitated unto, and contracted in because of the unexpectedness of the occasion, and because I would not quite weary you nor myself. But this

is a narrative that discovers to you the series of providence and of transactions leading me into this condition wherein I now stand.

The next thing I promised you, wherein I hope I shall not be so long, (though I am sure this occasion does require plainness and freedom,) is that as I brought not myself into this condition, (as in my own apprehension I did not, and that I did not, (the things being true which I have told you,) I submit it to your judgments and there shall I leave it, let God do what he pleaseth.) The other things, I say, that I am to speak to you of, is that I have not, nor do not bear witness to myself. I am far from alluding to him that said so; yet truth concerning a member of his, he will own, though men do not.

But I think (if I mistake not) I have a cloud of witnesses. I think so, let men be as froward as they will. I have witness within, without, and above. But I shall speak of them that are without, having fully spoken before of the witness above and the witness in my own conscience upon the other account, because that subject had more obscurity in it, and I in some sort needed appeals and I trust might lawfully make them, as well as take an oath where things were not so apt to be made evident. I shall enumerate my witnesses as well as I can.

When I had consented to accept of the government there was some solemnity to be performed, and that was accompanied with some persons of considerableness in all respects, who were the persons before expressed, who accompanied me, at the time of my entering upon this government, to Westminster Hall to take my oath.

There was an explicit consent of interested persons, and an implicit consent of many, showing their good liking and approbation thereof. And (gentlemen) I do not think that you are altogether strangers to it in your country. Some did not nauseate it; very many did approve it.

I had the approbation of the officers of the army in the three nations of England, Scotland, and Ireland; I say, of the officers. I had that by their Remonstrances, and under signature. There was went along with that explicit consent, an implicit consent of persons that had somewhat to do in the world, that had been instrumental by God to fight down the enemies of God and His people in the three nations. And truly, until my hands were bound, and I limited, (wherein I took full contentment, as many can bear me witness,) when I had in my hands so great a power and arbitrariness, the soldiery were a very considerable part of the nations, especially all government being dissolved. I say, when all government was thus dissolved, and nothing to keep things in order but the sword; and yet they, (which many histories will not parallel,) even they were desirous that things might come to a consistency, and arbitrariness might be taken away, and the government put into a person (limited and bounded as in the Act of Settlement) whom they distrusted the least, and loved not the worst. This was another evidence.

I would not forget the honourable and civil entertainment, with the approbation I found in the great City of London, which the City knows whether I directly or indirectly sought. And truly I do not think it is folly to remember this, for it was very great [and] high, and [very] public, and as numerous a body of those that are known by names and titles, (the several corporations and societies of citizens in this city,) as hath been at any time seen in England, and not without some appearance of satisfaction also.

I had not only this witness, but I have had from the greatest county in England, and from many cities, and boroughs, and many counties, explicit approbations; not of those gathered here and there, but from the county of York, and City of York,⁴¹ and other counties and places, assembled in their public and general assizes; the Grand Jury in the name of the noblemen, gentlemen, yeomen, and inhabitants of that county, giving very great thanks to me for undertaking this heavy burden at such a time, and giving very great approbation and encouragement to me to go through with it. These are plain; I have them to shew, and by these in some measure it will appear, I do not bear witness to myself.

This is not all. The Judges, (and truly I had almost forgotten it,) they thinking that there was a dissolution of government, met and consulted, and did declare one to another that they could not administer justice to the satisfaction of their consciences, until they had received commissions from me. And they did receive commissions from me; and by virtue of those commissions they have acted. And all the Justices of the Peace that have acted, have acted by virtue of like commissions, which was a little more than an implicit approbation. And I believe all the justice administered in the nation hath been by this authority, which also I lay before you, desiring you to think whether all these persons before mentioned must not come before you for an Act of oblivion and general pardon, who have acted under and testified to this government, if it be disowned by you.

I have two or three witnesses more, equivalent to all these I have reckoned, if I be not mistaken, and greatly mistaken. If I should say, all you that are here are my witnesses, I should say no untruth. I know you are the same persons here that you were in the country, but I will reserve to speak to this at the last, for this will be the issue of my speech. I say, I have two or three witnesses that are more than all I have accounted and reckoned before.

All the people in England are my witnesses, and many in Ireland and Scotland. All the sheriffs in England are my witnesses; and all that came in upon the process issued out by the sheriffs are my witnesses. Yea, the returns of the elections to the Clerk of the Crown, not a thing to be blown away with a breath; the returns on the behalf of the inhabitants in the counties, cities, and boroughs, all are my witnesses, of approbation to the condition and place I stand in.

And I shall now make you my last witnesses, and ask you whether you came not hither by my writs, directed to the several sheriffs, and so to other officers in cities and liberties, to which the people gave obedience, having also had the Act of Government communicated to them, to which end great numbers of copies were sent down on purpose to be communicated to them; and the government also required to be distinctly read unto the people at the place of elections to avoid surprises, where also they signed the Indenture, with proviso that the persons so chosen shall not have power to alter the government as it is now settled in one single person and a Parliament.

And thus I have made good my second assertion, that I bear not witness to myself; but the good people of England, and you all, are my witnesses.

⁴¹ Sent in March, 1654. Printed in *Merc. Pol.*; Nickolls, *Original Letters*, and in *Parl. Hist.*, xx, 275-9.

Yea surely, and this being so, though I told you in my last speech that you were a free Parliament, yet I thought it was understood that I was the Protector, and the authority that called you, and that I was in possession of the government by a good right from God and men. And, I believe, if the learnedest men in this nation were called to show a president [precedent] so clear, so many ways approving of a government, they would not in all their search find it.

I did not in my other speech to you take upon me to justify the government in every particular; and I told you the reason of it, which was plain: it was public and had been long published, and it might be under the most serious inspection of all that pleased to peruse it.

By what I have said, I have approved myself to God and my conscience, in my actions and in this undertaking; and I have given cause of approving myself to every one of your consciences in the sight of God.

If it be so, why should we sport with it, with a business thus serious? May not this character, this stamp, bear equal poise with any hereditary interest, which may have, and hath had, in the common law, matters of dispute and trial of learning? wherein many have exercised more wit, and spilt more blood, than I hope ever to live to see or hear of in this nation.

I say, I do not know why I may not balance this providence, as in the sight of God, with any hereditary interest, as being less subject to those cracks and flaws they are commonly incident unto: which titles have cost more blood in former times in this nation, than we have leisure to speak of now.

Now if this be thus, — and I am deriving a title from God and men upon such accounts as these are, — although some men be froward, yet that [you in] your judgments, that are persons sent from all parts of the nation under the notion of [an] acceptance of the government, for you to disown or not to own it; for you, to act [with] Parliamentary authority, especially in the disowning of it, contrary to the very fundamental things, yea, against the very root itself of this Establishment; to sit, and not own the authority by which you sit, is that, that I believe astonisheth more men than myself, and doth as dangerously disappoint and discompose the nation, as anything [that] could have been invented by the greatest enemy to our peace and welfare, or could well have happened.

It is true, there are some things in the Establishment that are fundamental, and some things are not so, but are circumstantial. Of such, no question but I shall easily agree to vary, or leave out, as I shall be convinced by reason. Some things are fundamentals, about which I shall deal plainly with you; they may not be parted with, but will (I trust) be delivered over to posterity, as being the fruits of our blood and travail [travail].

The government by a single person and a Parliament is a fundamental; it is the *esse*, it is constitutive. And for the person, though I may seem to plead for myself, yet I do not, no, nor can any reasonable man say it. But if the things throughout this speech be true, I plead for this nation, and all honest men therein who have borne their testimony as aforesaid, and not for myself. And if things should do otherwise than well, which I would not fear, and the common enemy and discontented persons take advantage at these distractions, the issue will be put up before God. Let him own or let him disown it, as he please.

In every government there must be somewhat fundamental, somewhat like a *Magna Charta*, that should be standing and be unalterable. Where there is a stipulation on one part, and that fully accepted, as appears by what hath been said, surely a return ought to be: else what does that stipulation signify? If I have upon the terms aforesaid undertaken this great trust, and exercised it, and by it called you, surely it ought to be owned.

That Parliaments should not make themselves perpetual is a fundamental. Of what assurance is a law to prevent so great an evil, if it lie in one or the same legislator to unlaw it again? Is this like to be lasting? It will be like a rope of sand; it will give no security, for the same men may unbuild what they have built.

Is not Liberty of Conscience in religion a fundamental? So long as there is liberty of conscience for the supreme magistrate to exercise his conscience in erecting what form of church-government he is satisfied he should set up, why should not he give it to others? Liberty of conscience is a natural right; and he that would have it ought to give it, having liberty to settle what he likes for the public.

Indeed, that hath been one of the vanities of our contests. Every sect saith, Oh! Give me liberty. But give him it, and to his power he will not yield it to anybody else. Where is our ingenuity? Truly, that's a thing ought to be very reciprocal. The magistrate hath his supremacy, and he may settle religion according to his conscience. And I may say it to you, I can say it: All the money of this nation would not have tempted men to fight upon such an account as they have engaged, if they had not had hopes of liberty, better than they had from Episcopacy, or than would have been afforded them from a Scottish Presbytery, or an English either, if it had made such steps or been as sharp and rigid as it threatened when it was first set up.

This I say is a fundamental. It ought to be so: it is for us, and the generations to come. And if there be an absoluteness in the imposer, without fitting allowances and exceptions from the rule, we shall have our people driven into wildernesses, as they were when those poor and afflicted people, that forsook their estates and inheritances here, where they lived plentifully and comfortably, for the enjoyment of their liberty, and were necessitated to go into a vast howling wilderness in New England, where they have for liberty, sake stript themselves of all their comfort and the full enjoyment they had, embracing rather loss of friends and want, than to be so ensnared and in bondage.

Another, which I had forgotten, is the Militia; that's judged a fundamental, if anything be so. That it should be well and equally placed, is very necessary. For put the absolute power of the Militia into one without a check, what doth it? I pray you, what doth your check put upon your perpetual Parliaments, if it be wholly stript of this? It is equally placed; and desires were to have it so, (viz.) in one Person, and the Parliament, — sitting, the Parliament. What signifies a provision against perpetuating of Parliaments, if this be solely in them? Whether, without a check, the Parliament have not liberty to alter the frame of government to Aristocracy, to Democracy, to Anarchy, to anything, if this be fully in them, yea, into all confusion, and that without remedy? And if this one thing be placed in one; that one, be it Parliament, be it supreme governor, they or he hath power to make what they please of all the rest.

Therefore, if you would have a balance at all, and that some fundamentals must stand which may be worthy to be delivered over to posterity, truly I think it is not unreasonably urged, that the Militia should be disposed, as it is laid down in the [Act of] Government, and that it should be so equally placed, that one person, neither in Parliament, nor out of Parliament, should have the power of ordering it. The Council are the trustees of the Commonwealth, in all intervals of Parliaments, who have as absolute a negative upon the supreme officer in the said intervals, as the Parliament hath whilst it is sitting. It cannot be made use of, a man cannot be raised nor a penny charged upon the people, nothing [can be] done without consent of Parliament; and in the intervals of Parliament, without consent of the Council it is not to be exercised.

Give me leave to say that there is very little power, none but what is co-ordinate, in the supreme officer, and yet enough in him that hath the chief government. In that particular he is bound in strictness by the Parliament, out of Parliament by the Council, that do as absolutely bind him as the Parliament, when Parliament is sitting.

For that of money, I told you some things are circumstantial. To have two hundred thousand pounds, to defray Civil Officers, to pay the Judges, and other Officers, defraying the charges of the Council, in sending their Embassies, in keeping Intelligence, and doing that that's necessary, and for supporting the Governor-in-Chief, — all this is by the Instrument supposed and intended, but it is not of the *esse* so much, and so limited. As [to] so many soldiers, 30,000, — twenty thousand Foot, and ten thousand Horse, — if the spirits of men be composed, five thousand Horse and ten thousand Foot may serve. These things are between the Chief Officer and the Parliament, to be moderated as occasion shall offer.

So there are many other circumstantial things, which are not like the laws of the Medes and Persians. But the things which shall be necessary to deliver over to posterity, these should be unalterable, else every succeeding Parliament will be disputing to change and alter the government, and we shall be as often brought into confusion as we have Parliaments, and so make our remedy our disease. The Lord's providence — appearing evils [sic!], appearing good — and better judgment will give occasion for the ordering of things for the best interest of the people; and those things are the matter of consideration between you and me.

I have indeed almost tired myself. That, that I have further to say, is this: I would it had not been needful for me to have called you hither to have expostulated these things with you, and in such a manner as this is! But necessity hath no law. Feigned necessities, imaginary necessities, are the greatest cozenage that men can put upon the providence of God, and make pretences to break known rules by. But it is as legal and as carnal and as stupid, to think that there are no necessities that are manifest necessities, because necessities may be abused or feigned. And truly I should be so, if I should think so; and I hope none of you think so.

I say that the wilful throwings away of this government, such as it is, so owned by God, so approved by men, so testified to in the fundamentals of it, as is before mentioned, and that in relation to the good of these nations and

posterity; — I can sooner be willing to be rolled into my grave, and buried with infamy,⁴² than I can give my consent unto.

You have been called hither together to save a nation, — nations. You had the best people indeed in the Christian world in your trust, when you came hither. You had affairs and these nations delivered over to you in peace and quietness. You were, and we all were, put into an uninterrupted possession, nobody making title to us. Through the blessing of God our enemies were hopeless and scattered. We had peace at home, peace almost with all neighbours round about: [we were] fit to take advantages where God did administer them.

To have our peace and interest, that had those hopes the other day, thus shaken and under such a confusion, and we rendered hereby (almost) the scorn and contempt of those strangers that are amongst us to negotiate their masters' affairs; to give them opportunity to see our nakedness, as they do, a people that have been unhinged this twelve years' day, and unhinged still; — as if scattering, division, and confusion should come upon us (as if it were desired) which are the greatest plagues God ordinarily lays upon nations for sin, — I would be loth to say they are matters of our delight, but if not, why not the matter of our care, so wisely as we ought by uttermost endeavours to avoid? Nay, when by such actions as these are, these poor nations shall be thrown into heaps of confusion, through blood, and ruin, and trouble, upon the saddest account that ever was; if breaking should come upon us, and all because we would not settle when we might, when God put it into our hands, — your affairs now almost settled everywhere, — and to have all recoil upon us, and we ourselves shaken in our affections, loosened from all known and public interests, as I have mentioned to you, — who shall answer for these things to God? Who can answer for these things to God, or to men; to the people that sent you hither, who looked for refreshment from you, who looked for nothing but peace, and quietness, and rest, and settlement? And when we shall come to give an account to them, we shall be able to say, Oh! we have quarrelled for, and we contested for the Liberty of England. Wherein, forsooth? For the liberty of the people? I appeal to the Lord, that the desires and endeavours, and the things themselves will speak for themselves, that the liberty of England, the liberty of the people, the avoiding of tyrannous impositions, either upon men as men, or Christians as Christians, is made so safe by this Act of Settlement, that it will speak sufficiently for itself.

And when it shall appear what hath been said and done, and what our transactions have been — for God can discover, and no Privilege will hinder the Lord from discovering, no Privilege or condition of men can hide from the Lord; he can and will make all manifest, if he see it for his glory, — and when these shall by the providence of God be manifested, and the people shall come and say, ‘Gentlemen, what condition are we in? We hoped for light, and behold darkness, obscure darkness! We hoped for rest after ten years' Civil wars, we are plunged into deep confusion again.’ Aye! we know these consequences will come upon us, if God Almighty shall not find out some way to prevent them.

I had this thought within myself, that it had not been dishonest, nor dis-

⁴² Cp. vol. ii of this work, p. 537.

honourable, nor against true liberty, no not of Parliaments, — when a Parliament was so chosen in pursuance of, in conformity to, and with such an approbation and consent to the government, so that he that runs might read by what authority you came hither, — that an owning of your call, and of the authority bringing you hither, might have been required before your entrance into the House.

But this was declined, and hath not been done, because I am persuaded scarce any man could reasonably doubt you came with contrary minds. And I have reason to believe, the people that sent you least doubted thereof at all. And therefore I must deal plainly with you. What I forbare [forbore], upon a just confidence at first, you necessitate me unto now, that, seeing the authority calling you is so little valued and so much slighted, till some such assurance be given and made known, that the fundamental interest of the government be settled and approved, according to the proviso contained in the Return, and such a consent testified, as will make it appear that the same is accepted, I have caused a stop to be put to your entrance into the Parliament House.

I am sorry, I am sorry, and I could be sorry to the death, that there is cause for this. But there is cause. And if things be not satisfied, that are reasonably demanded, I for my part shall do that that becomes me, seeking my counsel from God.

There is therefore somewhat to be offered to you, that I hope will (being understood with the qualifications that I have told you of: reforming circumstances and agreeing in the substance and fundamentals (which is the government settled as it is expressed in the Indenture) not to be altered; the making of your minds known in that, by giving your assent and subscription to it, is that, that will) let you in to act those things as a Parliament which are for the good of the people. And this thing showed to you, and signed as aforesaid, doth determine the controversy and may give a happy progress and issue to this Parliament.

The place where you may come thus and sign, as many as God shall make free thereunto, is in the Lobby without the Parliament door.

The [Instrument of] Government doth declare that you have a legislative power without a negative from me. As the government doth express, you may make any laws, and if I give not my consent within twenty days to the passing [of] your laws, they are *ipso facto* laws, whether I consent or no, if not contrary to the government. You have an absolute legislative power in all things that can possibly concern the good and interest of the public. And I think you may make these nations happy by this settlement. And I for my part shall be willing to be bound more than I am, in anything that I may be convinced of may be for the good of the people, in preservation of the cause and interest so long contended for.⁴³

With this final injunction the meeting came to an end; the House adjourned until Thursday morning, and its members hastened to look

⁴³ His Highnesse the Lord Protector's Speech to the Parliament in the Painted Chamber, On Tuesday the 12th of September, 1654. Taken by one who stood very him, and Published to prevent mistakes. London, Printed by T. R. and E. M. for G. Sawbridge at the Bible on Ludgate-hill, 1654.

This speech was translated into Dutch:— Tweede Oratie van de Heere Pro-

at the "test" or "recognition of the government" which had been prepared for their signatures:

I, A B, Do hereby freely promise & engage my self to be true and faithfull to the Lord Protector, and the Commonwealth of England, Scotland, and Ireland, and shall not (according to the Tenor of the Indenture, whereby I am returned to serve in this present Parliament) propose, or give my consent, to alter the Government, as it is settled in one single person, and a Parliament.⁴⁴

If there had been doubts as to the position of the Protector, or the issue of the debate, or the situation of Parliament, the terms of that engagement resolved them. Cromwell intended to retain his office as the head of the army and of the state, and he would brook no interference with his authority. Whatever the terms of the *Instrument*, whatever the opinions of his opponents, whatever the theoretical relations of Protector to Parliament, he was and he proposed to remain the "supreme authority." There was no alternative save an appeal to arms, and that, under the circumstances, was out of the question. In consequence some 140 or 145 members signed the Recognition at once, and as time and reflection made it apparent that there was no other course open, and that refusal to sign would exclude men from the House and — among other things — make them ridiculous; that resistance was not only useless but might be dangerous; additional signatures were secured till in the end it seems that a majority of the House signed the Recognition, however little some of them may have approved of it.⁴⁵ So confident was Cromwell of his strength that on the very day of his speech he released from confinement General Harrison who had been arrested for heading the Anabaptist petition to the House, invited him to dinner that evening and advised him "not to persist in those deceitful and slippery ways whose end is destruction."⁴⁶

At the same time, as part of the routine of his office, he sent an order to Gualter Frost to pay William Jessop, clerk of the Council, £6,000,⁴⁷

tector van het Parliament van Engelandt, Schotlandt, ende Yerlandt. Gedaen inde geschilderde Camer den 22. September, 1654, &c. Bodleian, Godw. Pamph. 1356 (33). The text may also be found in Stainer, pp. 147 ff., and in Lomas-Carlyle, ii, 366 ff.

⁴⁴ *Perf. Diurn.*, Sept. 12; also in Lomas-Carlyle, ii, 391; *Merc. Pol.*, Sept. 7-14, Sept. 14-21; *C. J.*, vii, 368.

⁴⁵ 130 signed immediately according to *Parl. Hist.*, xx, 370; *Perf. Diurn.*, Sept. 12; Ludlow, *Memoirs*, i, 391; 140 according to *Merc. Pol.*, Sept. 12; 145 according to Thurloe, ii, 606.

⁴⁶ George Greene to a friend, Sept. 23, Macray, ii, 397; same to a friend, Sept. 25, *ibid.*, pp. 397-8.

⁴⁷ Copy in *Rawl. MSS.*, A 328, f. 169. This was for the Council's "contingency fund," to be spent by Jessop at the direction of the Council.

and wrote to Louis XIV notifying him of the appointment of John Aldworth as consul at Marseilles:

Oliver, Protector of the Commonwealth of England, Scotland and Ireland &c.
To the most Christian King of the French and Navarre. Greeting.

Most Christian King,

Since Merchants of this Commonwealth trading in France have sought by a petition addressed to us that we be pleased to confirm by our assent and to designate for service John Aldworth chosen by them as Consul at Marseilles, to settle litigation likely to arise about trading transactions and to care for their business, not only there, but in other nearby ports and places of France; we, out of zeal for maintaining and increasing commercial activities, have not unwillingly given our assent to their reasonable requests; since this is likely to be of common advantage to the people on both sides we nothing doubt that your Majesty will ratify it with a like authority. For this reason it has seemed best to us to give notification by these presents, and we give such notification. We are minded to have approved and announced the said John Aldworth as consul at Marseilles in the interests of the Merchants carrying on commerce on those coasts of France, to be of assistance and help to them in their commercial affairs, as is consistent with the duty of a consul; and to this end we wish him recommended to your Majesty, that he may exercise and enjoy all the rights, privileges and immunities usually due to those discharging that function. And also furthermore that he be furnished with authority over all those things that pertain to the duty of a consul, not only between sailors of this Commonwealth landing in that port, for carrying on and prosecuting commerce. Also that by all judicial officers, magistrates and officials of your Majesty abroad, to whom there may be need of access for promoting the interests of Merchants, he may be received with courtesy and friendliness. And, just as this is likely to be of mutual advantage, so it will hold us also bound to similar offices of good friendship, as occasion offers.

Given from our Court at Westminster on the 12th day of September in the year 1654.

Your good Friend

OLIVER P.⁴⁸

Wednesday had been appointed a fast-day, which the Protector kept quietly with his family at Whitehall, the Parliament at St. Margaret's, Westminster.⁴⁹ That did not, however, entirely preclude business, for on that day some fifty more members of Parliament signalized the occasion by signing the Recognition.⁵⁰ With this there began again on Thursday morning the debate on the question of the government and a committee was appointed to draw up a declaration "for the satisfaction of our fellow-members that were not yet come in."⁵¹ This was to the

⁴⁸ Trans. of copy in *ibid.*, A 261, ff. 19v-20; Latin in App. II (19), *infra*.

⁴⁹ *Perf. Diurn.*, Sept. 13.

⁵⁰ Letter of the Dutch ambassadors to States General, Sept. 15/25, Thurloe, ii, 606. ⁵¹ Burton, i, xxxviii.

effect that it was not intended to extend the Recognition to any part of the *Instrument of Government* beyond the first article which established government by a single person and a Parliament.⁵² Thus having done what they could to heal the breach; having decreed another fast-day for October 11; and having thanked the preachers for their sermons — which, however, contrary to custom, they declined to have printed, “in regard of some inconveniences that had been found in it”⁵³ — the House adjourned. The next day, when the Protector signed an order to William Rowe to pay for the supplies for the troops at Inverlochy in Scotland,⁵⁴ and a pass for Dr. Hieronimus A. Silva, secretary to the Portuguese ambassador, and the ambassador’s agent, Francisco F. Rebello, to return home,⁵⁵ the House concerned itself with other matters. It debated “bringing in of the names of some ministers for advising in matters of religion;” the question of absent members; the relief of creditors; and the Marriage Act; and ordered the *Instrument of Government* brought in and read preparatory to discussing it the following Monday.⁵⁶ Meanwhile there was issued a *Declaration of the Proceedings of the Lord Protector and his reasons touching the late change in Parliament with the new test tendered to each Member*,⁵⁷ to advise the country of the crisis which had arisen and how it had been settled.

There was little doubt by the end of the week that, for the time at least, the crisis had been passed, less, perhaps, by argument than by the facts of the situation. Mr. Guibon Goddard, M. P. from Norfolk and chronicler of these events, reported that when he went to Westminster on September 12 he found the Parliament doors locked and guarded by soldiers, the members walking up and down the Hall, the Court of Requests and the Painted Chamber; the passages guarded by more soldiers; and the whole situation in complete control of the army — and its general.⁵⁸ In his speech of September 12 the Protector had laid down four “fundamentals” which were not to be disturbed, but the real “fundamental” was the fact that he was and intended to be the head of the administration. That was evident in every circumstance — the arrest and the release of Harrison, the demand for signatures to the Recognition, the guards posted about the Parliament house, and the details of administration which were carried out as if his ascendancy had never been questioned. Those details were of some importance. The four Dutch commissioners for the settlement of the Amboyna claims, having

⁵² *C. J.*, vii, 368; Ludlow, *Memoirs*, i, 392; Whitelocke, p. 605; cp. Thurloe, ii, 613.

⁵³ Burton, i, xxxviii.

⁵⁴ Copy in *Rawl. MSS.*, A 328, f. 143.

⁵⁵ *Ibid.*, f. 128.

⁵⁶ Burton, i, xxxix.

⁵⁷ Sept. 14. Abbott, *Bibliog. of O. C.*, no. 642(c).

⁵⁸ Burton, i, xxxiii.

reached an agreement with the English negotiators, came to take their official leave of the Protector,⁵⁹ who signed passports for the transportation of their baggage,⁶⁰ and for John Christian and Jean Verick on the 15th of September.⁶¹ On that day also he addressed the Lord Mayor, aldermen and common councilmen of London whom he had summoned to meet him in the old Council Chamber at Whitehall. No verbatim report of this long two hours' address seems to have been preserved, but its substance appears to have been somewhat as follows:

Speech to the Lord Mayor, Aldermen, and Common Council of the City of London, Friday, Sept. 15, 1654.

He said he had concluded a peace with four great nations, by which the doors were set open for a free trade throughout the world, and that two nations, France and Spain, had begged peace of him. He spoke something concerning religion, which is diversely reported; some say he spoke favourably of the Presbyterians and Independents, others that he charged the Lord Mayor to look well to the Anabaptists, while he himself would look to the Presbyterians; perhaps he used the former expressions with reference to the Presbyterian doctrine, which is in most parts tolerable, and the latter with reference to the Presbyterian government, which is a horrid tyranny. He added, that no man should hereafter be permitted to preach under pretence of being gifted, before he had been tried and was allowed; and, lastly, charged his hearers to maintain the peace of the city.⁶²

It is evident that this is the barest summary of what must have been one of his longest and in some ways one of his most important speeches. To this report another added that he "advised them to beware and look to three sorts of men; 1, the violent Cavalier; 2, the rigid Presbyterian; 3, the dangerous Anabaptist."⁶³ From these utterances it appears that he aspired to take not exactly a middle ground in the politico-theological disputes, but to repress the more extreme parties which threatened his ascendancy and the peace of England as enforced by his authority, to rally to his side the forces of order and quiet and build on them the new system, essentially that of liberty within limits, peace and prosperity at home and a vigorous and active policy abroad, for the encouragement of trade.

As tangible evidence of that purpose, on that same 15th of September he signed the treaty with Denmark,⁶⁴ which, among other things, put the English on equal terms with the Dutch in the matter of the long

⁵⁹ *Sev. Proc.*, Sept. 14-21; *Cromwelliana*, p. 148.

⁶⁰ *Rawl. MSS.*, A 328, f. 130.

⁶¹ *Ibid.*, f. 129.

⁶² Macray, ii, 398-9, from a letter from George Greene to a friend, Sept. 25; also in Stainer, pp. 172-3.

⁶³ William Dobbins to John Percivale, Sept. 19, *Hist. MSS. Comm. Repts.*, *Egmont MSS.*, i, pt. ii, 558-9.

⁶⁴ See App. I (4) for text of the treaty.

disputed Sound dues, a provision which opened the Baltic trade to English merchants under more favorable conditions than they had hitherto enjoyed.

By the end of this most eventful fortnight, then, a great step had been taken toward the consolidation of the power of the Protector. The attack on his position had been repulsed and there had been secured some 193 signatures⁶⁵ to the Recognition of his authority. His opponents had been overawed if not silenced; the City authorities both warned and encouraged. There remained therefore only the discussion of those parts of the *Instrument* which did not directly affect his supremacy. This was confirmed on the morning of the 18th when the House declared that only those members who had subscribed the Recognition be admitted to sit.⁶⁶ In effect this was another purge, and it limited the membership to those who gave at least lip-service to the Protectoral system. The resolution, which had been passed, for a fast-day on October 11 received Cromwell's assent that afternoon and was published the next day.⁶⁷ On that same Tuesday the House again voted to go into a committee of the whole to discuss the remaining clauses of the *Instrument*. By that time, it was reported, some 240 members had signed the Recognition,⁶⁸ and it is not surprising that, with the House virtually confined to the Protectoral party, there was passed at once a resolution that legislative authority be vested in the Protector and Parliament, and that Cromwell be Protector for life.⁶⁹ To this was added a demand that Parliament's consent was necessary for making of laws, fixing of taxes and fees, with further provisions that Parliaments should be triennial and not be dissolved under six months without their own consent; or in an emergency they might be continued three months longer by an Act to that effect and with the consent of the Protector. This, as the chronicler observes, was "the first negative" or veto power vested in the Protector and was granted out of the old fear of a "perpetual" Parliament which he had so often stressed.⁷⁰

The next problem was the long-vexed issue of control of the militia which had been one of the chief sources of disagreement between Charles I and the Long Parliament and one of the chief causes of the civil war. The question was still important but it had lost something of its vital concern since the day when the militia was virtually the only

⁶⁵ *Perf. Diurn.*, Sept. 15.

⁶⁶ *C. J.*, vii, 368; *Merc. Pol.*, Sept. 14-21; Whitelocke, p. 605.

⁶⁷ *C. J.*, vii, 368; *Perf. Diurn.*, Sept. 18; Whitelocke, p. 605; text in *Merc. Pol.*, Sept. 14-21.

⁶⁸ *Ibid.*

⁶⁹ *Perf. Diurn.*, Sept. 19.

⁷⁰ See also for the above, Burton, i, xl.

armed force in the kingdom, for the Protector was now the commander of a powerful veteran army against which a militia could not hope to contend with success. The problem was settled by the formal conferring upon Cromwell the power which he already exercised, which was the command of all armed forces by land and sea, during his lifetime, with the proviso that it should be by the consent of the House, "the Parliament sitting." The question of vesting the control of the armed forces in the office of Protector, of the succession to that office, or of what might happen after Cromwell had ceased to hold it, was thus carefully avoided, and the next move indicated how little actual control over affairs the Parliament possessed. It was contained in a letter which, now that Parliament had acted, the Protector sent to Lenthall, informing him that steps had already been taken for "a design by sea," the details of which had been worked out and, if the House considered it desirable, could be communicated to it by some of its members who were cognizant of the plan.⁷¹

*To Our right trusty and well-beloved William Lenthall, Esquire,
Speaker of the Parliament*

MR. SPEAKER,

I have, by advice of the Council, undertaken a design by sea, very much (as we hope and judge) for the honour and advantage of the Commonwealth, and have already made the preparations requisite for such an undertaking. But before I proceed to the execution thereof, the Parliament being now convened, I thought it agreeable to my trust to communicate to them the aforesaid resolution, and not to defer the do[ing] thereof any longer (although I suppose you may be engaged, at the present, in matters of great weight); because many *m miscarriages* will fall out in this business through too long delay, as well in *providing* of the charge as otherwise; the well-timing of such a *design* being as considerable as anything about it. And therefore I desire you to take your first opportunity to acquaint the *House* with the contents of this letter, wherein I have *forborne* to be more particular, because there are several *persons* in Parliament who know this whole business, and can *inform* the House of all particulars; if the House do judge it to be consistent with the nature of the design to have it offered to them particularly: which I refer to their consideration; and rest,

Your assured friend,

OLIVER P.⁷²

Whitehall, 22nd September, 1654.

The letter read, the House after a brief debate voted it inadvisable to make public the designs which "if they should be discovered, were more than half prevented" and so left the whole matter in the hands of the

⁷¹ *Ibid.*, pp. xl-xli.

⁷² Lomas-Carlyle, App. 28(3), from *Tanner MSS.*, lii, 130. Only the signature is Oliver's. The letter has his private seal, V (Henfrey, *Numis. Crom.*, p. 183).

Protector and his advisers.⁷³ Finally, to round out the record of the Protector's doings at this moment, it may be noted that on the 20th he signed an order to restore one Richard Lytcot to his post as deputy governor of Sandown Castle from which he had been expelled by the Council of War;⁷⁴ and on the 22nd he signed a passport for John Cope and his servants to go beyond seas.⁷⁵ There was, it appears, no longer any question — if there had ever been — that he was in complete control of affairs, whether civil or military, foreign or domestic, and that he had the support of Parliament as it was then constituted. Of this there was much evidence apart from the attitude and action of Parliament. Bordeaux wrote his father that the treaty with France would soon be concluded if Cromwell had not changed his mind and if the commissioners were sincere.⁷⁶ In a letter to Thurloe, Fleetwood expressed his fear that Cromwell might succumb to the temptations of high office rather than "minding the saintes interest."⁷⁷ From Cologne came a report that Parliament had called Cromwell "Oliver, the first emperor of Greate Britaine and the isles thereunto belonging, allways Caesar."⁷⁸

This, like many such rumors from the Continent, was absurd, yet, like them, it represented something of the fact, however distorted. In particular it proved that, however Cromwell regarded himself and however he was regarded by his fellow-countrymen, the peoples of the Continent considered him a king in all but name, and it seemed to many of them that it was only a question of time and opportunity as to when he would assume that title. Thus at the end of a little more than a fortnight the chief problem which the Protector faced with the assembling of his "free" Parliament had been settled. The abstinence of many who had been chosen to its membership, the strength of the "court" party which supported the Cromwellian system, the forcing of the signature of the Recognition and the exclusion of those who refused to sign, left him undisturbed in the control which he already exercised. There remained, indeed, the discussion of the other articles of the *Instrument*, and it was conceivable, though not probable, that the revision then under way might limit his authority in some measure. But with the acknowledgment of his supremacy, the agreement not to disturb the system as then set up, and the vote of the Protectorship for life, there was little reason to believe that his authority would be seriously impaired. He was, as all dispassionate observers realized, the real ruler of the three kingdoms, in some respects even more powerful than the Stuart kings had ever been, certainly more powerful than they would ever be again.

⁷³ Burton, i, xli.

⁷⁴ Rawl. MSS., A 328, ff. 130–31.

⁷⁵ Maggs' Cat., no. 587 (Autograph Letters, Autumn 1933), p. 31.

⁷⁶ Thurloe, ii, 613.

⁷⁷ Ibid., p. 620.

⁷⁸ Ibid., p. 614.

CHAPTER XI

THE REVISION OF THE INSTRUMENT

SEPTEMBER—NOVEMBER, 1654

By the third week of September, 1654, the personal ascendancy of Cromwell was fully recognized, in fact and in so far as possible in law, or at least in documentary form. That form, as always in such cases, merely followed the facts of a situation created by extra-legal means, but his government had finally what all such governments desire—a formal recognition of its position and a written engagement to support it from an elected Parliament which, in name at least, represented the people of England. So far as external evidence went, it had greatly strengthened its position by the adhesion of Parliament which gave it the semblance of a duly constituted authority, behind which, of course, lay the very real and substantial basis of that authority, the armed forces.

But such a situation, as Cromwell and his followers well knew, entailed responsibilities as well as honors, and not least because of those forces on whose control their power rested. The drain upon the resources of the government to support them was very great; the popular demand for their reduction found vigorous expression in Parliament; and among the various other problems which pressed upon the Protector in the ensuing weeks, that of the size of the army was not the least. At this very moment, indeed, Fleetwood and the Irish Council wrote that Ireland could only provide £10,000 of the £47,000 a month required to support the English troops established in Ireland by the late Parliament.¹ The Protector's government could find no more than £17,000 a month, and it became necessary presently to disband part of the army in Ireland in order to keep the rest.² This was but the beginning of a problem which was to vex the rest of his life, and it was accompanied by others inherited from the past. On the 23rd, several Scottish nobles who had been fined by Cromwell and the Council came to the English commissioners to seek remission of their fines,³ and there presently poured in a flood of petitions for the reduction, the remission, or the modification of the penalties imposed in previous years on supporters of the Stuart monarchy. All these indicated what was apparent from other evidence that on the one hand the income from fines and confisca-

¹ Council to the Protector, Sept. 19, Dunlop, *Ireland under the Commonwealth*, ii, 450; cp. Thurloe, ii, 516, 631.

² *Cal. S. P. Irel. (1647-60)*, p. 817.

³ Whitelocke, p. 606.

tions on which the revolutionary party had hitherto relied was beginning to come to an end, and on the other that the wealth of the country had declined as the result of civil strife and foreign war. The government was finding it more and more difficult to exact the penalties it had imposed and on which its financing had hitherto so largely depended. It faced the alternative of maintaining or increasing taxation with great reluctance, now that the wars were over, and it was forced to steer a cautious course between the Scylla of bankruptcy and the Charybdis of heavier taxes. On the other hand the personal fortunes of the Protector improved at this moment, for on September 21 the manors of Tallington and Uffington in Lincolnshire, which had reverted to the Duke of Buckingham on the death of the Countess of Rutland, were discharged from sequestration and assigned to Cromwell as part payment of the £4,000 a year voted to him earlier for his military services.⁴

These matters yielded in importance, however, to the great affairs of state then being debated in Parliament which on the 23rd took up again the discussion of the *Instrument*. The Protector's own position had been confirmed and defined; that of Parliament determined, though in less degree. There remained the problem of the Council. According to the *Instrument* its members were to be appointed for life; but this, under the circumstances, seemed now out of the question. There was little difference of opinion as to the general principle that there should be a Council, at least "for the time being," but there was some difference of opinion as to how it should be appointed and what the tenure of office of its members should be. Were they to be chosen by Parliament or by the Protector, and for what period? It was determined finally that the Protector should nominate and the Parliament "approve" the selection; and with this and the reading of an Act requiring subscription to the Recognition and "preventing any future restraints of the kind upon Parliaments," the House adjourned until the following Monday.⁵

The reorganization of the government was now well under way, and when the members met again they devoted their efforts to that task which so greatly affected the fortunes of the Protector. The first business on reassembling was the second reading of the Act concerning Recognition and committing it for amendment. The second was consideration of an ordinance concerning the ejection of scandalous and ignorant ministers, which was referred to a committee. With this the House resolved itself into a grand committee to continue the discussion of the Council. It was voted that the new body should consist of not more than twenty-one members, of whom nine should be a quorum, and on the next day it was decided that no person should retain his office

⁴ *Cal. Comm. for Comp.*, p. 2192 (*S. P. Dom. G.* xviii, 964); cp. vol. ii of this work, p. 495.

⁵ Burton, i, xli.

more than forty days after the meeting of each successive Parliament "without a new approbation by the Parliament." Thus the House endeavored, in so far as possible, to limit the authority of the executive and preserve whatever authority remained to Parliament.

From this it turned to the next great problem, that of the control of the armed forces in the intervals of Parliament, the possibility of reducing those forces — and the taxes which supported them. "That," as the diarist-member noted, "sounded so plausibly in every man's ear, as it was soon embraced." A committee with Sir John Hobart as chairman was appointed to consider it, consult with Cromwell, and report back to the House.⁶ As to the number of those forces, it was resolved that it should be agreed on from time to time by Parliament and the Protector and be no more than the agreement should specify — which argued a certain distrust of the Protector in this vital matter.

In such fashion the House proceeded to the next part of its programme. That, as it happened, was all on the side of the Protector. The bill for subscribing the Recognition and its amendments was brought in and recommitted, and it was resolved in the grand committee that the chief magistracy of the three kingdoms was to be vested in the Protector assisted by a Council, "according to the laws, and such limitations as should be agreed upon in Parliament." To this were added, the next day, provisions that all processes should run in his name; that he might confer titles and honors, but that they should not be hereditary; that he could not pardon any one convicted of murder or treason; and that benefits of forfeiture or confiscation not previously disposed of should belong to him on terms agreed upon in Parliament.⁷ Thus far, with few exceptions, the powers conferred on the Protector were, in general, those of royalty, always limited, in so far as possible, by the consent or concurrence of Parliament, and by the fact that hereditary authority was specifically barred and grants of power limited to his life.

Meanwhile he had exercised those powers as usual. On September 21 he appointed Commissioners of the Admiralty and Navy, with whom he conferred two days later.⁸ On September 25 he ordered Sir John Wolaston or Alderman Allen to deliver to a John Tresean certain jewels previously delivered to them by Colonel Venables in satisfaction for money advanced by a widow, Elizabeth Lees, apparently for the good of the cause in previous years.⁹ On September 29 he issued one of those

⁶ *Ibid.*, pp. xlii-xliii.

⁷ *Ibid.*, p. xliv.

⁸ *Sev. Proc.*, Sept. 21-28. The members were Monk, Desborough, Blake, Penn, Jones, Clark, Rouse and Kelsey.

⁹ Orig. (not signed) in *S. P. Dom. Interreg.* lxxvii, no. 5, *Cal. S. P. Dom.* (1654), p. 391; cp. his order for delivery of the jewels to the Council (*ibid.*). Apparently on Sept. 26 also he wrote to Monk enclosing a letter to the commissioners for visiting the Scottish universities who were authorized to provide out of

presentations to a living now becoming common to him as the virtual head of the new church as well as of the new state:

OLIVER P.

OLIVER, Lord Protector of the Commonwealth of England, Scotland and Ireland, and the dominions thereunto belonging, to the Commissioners authorised by a late Ordinance for Approbation of Public Preachers, or any five of them, greeting. We present John Pointer to the Rectory of Houghton Conquest in the county of Bedford, void by the death of the late Incumbent, and to our presentation belonging; to the end he may be approved-of by them, and admitted thereunto, with all its rights, members and appurtenances whatsoever, according to the tenor of the aforesaid Ordinance.

Given at Whitehall, the 29th of September 1654.¹⁰

Apart from these minutiae of the administration of his office, there were published on September 26th several ordinances which had been passed and received his assent some weeks earlier,¹¹ and on that same day he approved seven more orders and ordinances.¹² The newsbooks of that week advertised that his speeches of the 4th and the 12th were now on sale,¹³ and, to include the lesser with the greater concerns which had come under his authority, two days later there appeared an order by the Lord Mayor of London "in pursuance of an Ordinance by his Highness" of June 23, 1654, "concerning hackney coaches" restating the limit then laid down of 250 coaches and horses for use in the capital, allowing persons exceeding the limit to dispose of their excess property by December 25.¹⁴

This last notice coincided with an event, made much of at the time, which seemed at one instant likely to make all the vigorous debates of

the treasury of vacant stipends or otherwise a competent maintenance for ministers who had "gathered" congregations. (Monk to Cromwell, Oct. 3, in Firth, *Scotland and the Protectorate*, p. 193.)

¹⁰ Lomas-Carlyle, App. 28 (2); *Harl. MSS.*, no. 7053, f. 153; sold by Sotheby from Wm. Brice Library, 1887, no. 497 (*Autog. Prices Current*, vol. vi).

Cromwell's grant to Henry Parry of the rectory at Kemes (co. Montgomery) dates from the 25th of September. (Cp. *S. P. Dom.*, G xxii, 1492; *Cal. Comm. for Comp.*, p. 3231.)

On the 29th the Protector also issued a warrant to Wm. Walker to pay Nicholas Lambe £20. Lambe's receipt is at the foot. It is endorsed: "Mr. Walker, pray take notice that 10*l* of this is already paid by Mr. Malyn." See *Notes and Queries*, ser. 2, vol. 7, p. 413 (1859). Cal. in Waylen, *House of Cromwell*, p. 277.

¹¹ For appointing commissioners to survey the lands and buildings of the late King, Queen and Prince; for an account of money spent on the Act for propagating the Gospel in Wales; for bringing all revenue under the Court of Exchequer. Cp. *Perf. Diurn.*, Sept. 26; Firth and Rait, iii, xcix.

¹² *Cal. S. P. Dom.* (1654), 371.

¹³ *Perf. Diurn.*, Sept. 25-Oct. 2; *Sev. Proc.*, Sept. 26; *Merc. Pol.*, Sept. 21-28.

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This was emphasized by the violence of the discussion which was resumed on the day after his accident on the subject of the right of the Protector and his Council to make war and peace. That touched the heart of the whole matter and after long arguments which revealed the profound disagreement between the two parties in the House, the question was put over until Monday. Then the opposing views were set forth in all their force. It was an old issue; it still exists to-day, for at all times the question as to where the right to declare war or make peace resides has been an acute issue between the legislative and the executive branches

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These great questions determined, the House next approached the thorny problem of religion. But first there were lesser matters to be disposed of, including the Council's request that Mr. Embree be paid £2,000 for repairs to Whitehall,¹⁷ and a more important recommendation from the House committee on the armed forces that, with the Protector's consent, 28 ships then at sea be recalled from service and the navy on active service thus reduced by that number of vessels. This, in the face of the proposed offensive design of which Parliament had been advised and for which preparations were being made, was received by the Council on the following day and was transmitted to the Admiralty Committee.¹⁸ The opinion of the French ambassador was that the Protector and the commissioners had proposed to reduce the armed forces in order to get rid of persons hostile to the government;¹⁹ but the more probable reason was financial. And at this moment the Protector, in accordance with the provisions of the *Instrument* submitted a list of nominations to various offices for the approbation of Parliament:

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Seal, the Treasurer, Admiral, Chief Governors of Ireland and Scotland, and the Chief Justices of both the Benches, shall be chosen by the approbation of Parliament, and in the intervals of Parliament by the approbation of the major part of the Council, — to be afterwards approved by the Parliament; and several Persons of integrity and ability having been appointed by me (with the Council's approbation) for some of those services before the meeting of the Parliament; — I have thought it necessary to transmit unto you, in the enclosed Schedule, the names of those persons, to the end that the resolution of the Parliament may be known concerning them: which I desire may be with such speed as the other public occasions of the Commonwealth will admit. And so I bid you heartily farewell.

Given at Whitehall, this Fifth day of October 1654.

Enclosure is endorsed: "The Schedule inclosed in his Highnes Letter of ye 5th of October 1654." — "Read October 5th, 1654; and again, 6th Oct."

CHARLES FLEETWOOD, Esquire Deputy of Ireland.

BULSTRODE WHITLOCKE, Esquire
SIR THOMAS WIDDINGTON, Knt. } Commissioners of the Great Seal
JOHN LISLE, Esquire } of England.

The Three Commissioners of the Great
Seal above-named

THE LORD CHIEF JUSTICE ROLLE
THE LORD CHIEF JUSTICE ST. JOHN } Commissioners of the Treasury.

EDWARD MONTAGUE, Esquire
WILLIAM SYDENHAM, Esquire

HENRY ROLLE { Chief Justice of the Court of
Upper Bench.

OLIVER ST. JOHN { Chief Justice of the Court of
Common Pleas.²⁰

It was apparently about this time that George Wither, besides writing bad, if flattering, poetry about the Protector also contributed his advice. As he wrote in later years,

And when Oliver Cromwel late Lord Protector had taken upon himself the Supreme Authority, (thereto providentially admitted both for his own Probation and ours) . . . I sought by private Addresses, to screw into him a serious Consideration of his Duty, in many particulars relating to GOD, to the People, and to Himself; . . . I presumed both to declare unto him, to what intent that exorbitant Power was permitted; how long he was to enjoy it; in what manner he should thereby proceed; and what would follow if he employed it to any other end.

But, (before I had presumed so far, or declared any thing, to the making ineffectual my good Intents, . . .) I then perceiving he took as little notice as the Parliament had done before their first Interruption, of that course which I thought pertinent to the introducing of a Righteous Government; and that he probably intended rather to establish it for his own and his Posterities advan-

²⁰ Lomas-Carlyle, App. 28 (4), from *Tanner MSS.*, lii, 135. Henfrey (*Numis. Crom.*, p. 183) says Private seal V is attached, not Great Seal as claimed in Lomas-Carlyle.

tage, . . . I signified unto him in a Discourse prepared in form of a Declaration to these Nations, how he might settle a Righteous Government (as I believed) with safety and honour, if he would engage himself to the People, by publishing a Remonstrance to that effect for their satisfaction. This Overture being made at a time wherein his fears and hazards were very great: Though that Discourse was very large, he with much seeming Contentment, heard me read it over to the last word; and then protested, according to his usual manner, that it answered to his heart, as the shadow of his face in the Glass (then hanging before him in the room) answered to his face; and pretended he would publish that Declaration, and act accordingly, as soon as he, with one in whose discretion he much confided, had considered what alteration it might need, (or words to that effect) and then received it of me, promising to return it with his final resolution within a week.

At the weeks end, or thereabout, he, or Mr. Thurloe then Secretary, (who seemed also to approve thereof) delivered back unto me my Papers; and the Protectors Answer, which then was, That he himself, together with the said Secretary and my Self, would within a few days, examine it over, to see what verbally, might require alteration, or what addition would be necessary; and that being done, he would then without fail, take order for Publication thereof. But, afterward, he apostatiz'd from that Resolution, to his own dis-advantage, and to the occasion of what hath since befallen to the Publick Detriment; yet, pretended many moneths together, a firm adherence to what he had seemingly resolved on, keeping me all that time in attendance; gave me the Key of his Closet at the end of the Shield Gallery in Whitehall, (wherein his Books and his Papers lay) to retire unto when I came thither; carried me often to his own Table; frequently discoursed with me concerning my Proposal; and appointed many set days wherein to review the said Papers, but failed always in performance; wherewith I being a little discontented, told him, I thought his mind was changed; and giving him back the keys of his Closet, purposed never to wait again upon him in relation to that business. He then, with very respective words to me excusing his delays, assured me that at six of the Clock next morning, he would send for his Secretary, and dispatch that which he intended, before he would admit any other person into his presence. I came before the appointed hour, but was then also put off, until a little past three in the afternoon, at which time I attended till past four; and then, hearing that He, and his Secretary, were gone forth in a Coach to take the Air, I purposed to depart, and loose no more time on that occasion: and as I was leaving the room, one informed me, that about the same hour, in which I was appointed to attend Him and his Secretary, their necks were both in hazard to be broken, by the Protectors usurping the Office of his Coach-man; and that they were both brought in so hurt, that their lives were in danger. Of that imprudent, if not disgraceful attempt mis-beseeming his person, I endeavoured to prevent as much of the dishonor, as I might, by a little Poem. . . .²¹

²¹ Clyde, *Freedom of the Press*, pp. 338-42. Clyde's note: "Vaticinium Causale, . . . Oct., 1654." The coach-accident was on Sept. 29, 1654. Clyde adds: "N.B. — G. W. was still obtaining access to O. C. and presenting advice as late as 1657 (authority — *The Prisoner's Plea* by G. W., 1661)."

Feb. 23, 1654/5: petition and remonstrance of Geo. Wither referred to Picker-

It can hardly be supposed Wither's advice contributed much to affairs, but the presentation of these names to Parliament for confirmation gave evidence that the Protector was prepared to co-operate with the House under the terms laid down to limit his authority. His letter was read on the 5th and again on the 6th, and Parliament not only confirmed his nominations but passed a resolution that the Protector and Council should give orders for issuing money for the army and navy until the House took further action in the matter.²² Meanwhile the business of state went on even with Cromwell and Thurloe more or less out of active service. On October 6, Frederick III of Denmark wrote to the Protector accrediting Simon de Petkum as his resident agent in London.²³ In the name of the Lady Protectress, Fleming, the Master of Ceremonies, visited Salvetti with a request for the portraits of his master, the Grand Duke of Tuscany, his wife and son, to be added to her portrait collection.²⁴ Intelligence poured into Thurloe's office from every direction, with petitions to the Protector. As usual, wishful thinking dominated the reports that the Protector and his sons had been murdered;²⁵ that the Protector had imprisoned some members of Parliament;²⁶ that those refusing to sign the Recognition would not be permitted to serve in Parliament;²⁷ that a rupture in the army was anticipated as the only means of overthrowing him;²⁸ and that the government would be well advised by its present danger to negotiate with Charles II and re-establish hereditary monarchy.²⁹

These were the usual incidents of the period while Parliament pursued its debates on the *Instrument*. It was, however, much concerned over its own composition and interrupted its discussion of the fundamentals to

ing and others to consult with the trustees at Drury House and report (*Cal. S. P. Dom.* (1655), p. 50); April 19, 1655, note of petition of Geo. Wither for payment of £300 "out of Haberdashers' Hall, ordered by Parliament out of discoveries, he having brought in more than that by discoveries, being for interest of 700l. formerly due. Noted, 'Money, and submitted to Council, a report drawn at large. Report returned from Drury House 17 April 1655.'"³⁰ (*Ibid.*, p. 133). Aug. 29, 1655, order on report from the committee, to advise H. H. to order payment to Wither in full discharge of amount due him with interest (*ibid.*, p. 304).

²² *C. J.*, vii, 374; for final reading on Oct. 24 see *ibid.*, p. 378, and Burton, i, lviii. On this Oct. 6 Cromwell issued a pass for George Paul and his servants to go beyond seas. Cp. *Rawl. MSS.*, A328, f. 132.

²³ *Cal. in 47th Rept. Dep. Keeper Public Records*, App. V, p. 76.

²⁴ Salvetti to Gondi, Oct. 6/16, *Add. MSS.* f. 324b. The portraits were sent accompanied by a cask of choice wine. Cp. Salvetti's despatches 1655.

²⁵ Thurloe, ii, 655.

²⁶ *Ibid.*, p. 625.

²⁷ *Merc. Pol.*, Sept. 28-Oct. 5.

²⁸ Thurloe, ii, 660.

²⁹ Probably written by James Howell. Cp. Abbott, *Bibliog. of O. C.*, no. 663.

consider the question brought before it by the Committee of Privileges as to certain Irish elections which still remained in doubt, but it found no solution beyond referring the whole matter back to the committee.³⁰ That was, in a sense, no digression, for if the membership of this Parliament, like that of its predecessor, was to be dominated by the Council, the whole of this great debate over the relations of Parliament and Protector was time worse than wasted. In consequence the members were especially jealous of their privileges. The arrest of Sir Robert Pye in a private matter brought an order that Parliamentary privilege began on the day of the election, and the bailiffs and under-sheriff concerned were sent for as delinquents. Next came discussion of the numbers to be returned for future Parliaments, in which on the whole the provisions of the *Instrument* were retained.³¹ By Tuesday the 10th the Parliament had reached the thirtieth article of the *Instrument*, which contained the important provision relating to the issue of ordinances by the Protector and his Council in the absence of Parliament. That offered a difficult problem. On the one hand, Parliament was unwilling to permit its power to make laws to be infringed by the Protector; on the other, the fact was that many ordinances had been issued and it would be difficult or impossible to rescind many of them at this time. In consequence the House did what such bodies always do under similar circumstances, it referred all ordinances made since July 3, 1653, as well as the Acts of the "late little convention," to a committee to report which should be confirmed and which, if any, repealed.³² With this; with an inquiry into the low price of corn, license to export it free of export duty, and to "engross" or hold it for a rise in price; and with the reference to a committee of the question of unsold lands and revenues from the confiscations, the House prepared for the fast set for the following day.³³ It had now assumed new importance in view of Cromwell's coach accident and was turned into a sort of celebration of his escape from breaking his neck. Between nine in the morning and four in the afternoon the House — or part of it — listened to three sermons,³⁴ and, save in Scotland where the clergy did not observe the day,³⁵ many pulpits resounded with thanksgiving for the Protector's deliverance.

On Thursday the Parliament resumed its two-fold task as a constituent convention and a legislative body by taking up the question of the scarcity of oil owing to the "late disappointment of the Greenland fleet" in the whale-fishery and the consequent "great want of oil to

³⁰ Burton, i, xlvi-xlvii. .

³¹ *Ibid.*, p. xlviii.

³² *Ibid.*, p. xl ix; *C. J.*, vii, 375; Whitelocke, p. 606; *Perf. Diurn.*, Oct. 10.

³³ Burton, i, xl ix.

³⁴ Thurloe, ii, 670; cp. Whitelocke, p. 606; *C. J.*, vii, 375; *Sev. Proc.*, Oct. 11; *Perf. Diurn.*, Oct. 11; Burton, i, xl ix.

³⁵ *Perf. Diurn.*, Oct. 28.

carry on the trades of cloth and soap."³⁶ In itself this seems a matter of no great concern outside the industries in question, but it is perhaps worthy of note that, three or four days before, the Protector's upholsterer, Francis Downham, had petitioned for such action in almost the same words, in order that he might recover some of his personal estate in Holland by accepting part of it in train-oil and whalebone, and so begged license to import a hundred tons of these commodities.³⁷ This had a result far beyond the dreams of the worthy upholsterer to retrieve his own fortunes. It was referred to a committee to discuss the general question of the whale-fishery with the Greenland and Eastland Company, and so to the committee on the problem of the corn surplus, and finally led to a debate on the Act regulating trade passed in the preceding October by the Nominated Parliament. Nor was this all, for after violent disputes between the country gentlemen and the City representatives, there was appointed a Grand Committee of the whole House for Trade, which was to sit weekly and take into consideration the entire problem of English commerce. On Friday, the thirty-first article of the *Instrument*, which vested the unsold or undisposed of confiscated properties in the three kingdoms in the Protector and his successors, was referred to a committee, and the House adjourned until the following Monday.³⁸ In themselves these details of Parliament's activities are not particularly notable; but it was observed that, though the Protector was not as badly off as was generally supposed, Parliament accomplished little during his illness,³⁹ which seems to indicate that he had more to do with its actions than might be gathered from the formal account of its proceedings.

On the other hand, he was apparently not too indisposed to carry on his usual activities apart from his relations with Parliament. On the 10th he signed an order for back salary for William Ryley, clerk of the Tower records;⁴⁰ and on that day the Council signed three orders for payment for three "decorative pieces" for him, costing in the neighborhood of eight hundred pounds.⁴¹ On the 12th it advised him to order the Commissioners of the Great Seal to grant the Treasury Committee power to transfer £100,000 to the Navy Treasurer to meet the charges of the fleet, and to grant money to the Treasurer of War for two months' pay for the land forces.⁴² That evening he was to receive a visit from the Dutch envoy Jongestal, who had leave to return home, to be followed by Nieupoort, leaving only Beverning to represent his country in London.⁴³ This, among other things, indicates that the settlement of the Anglo-Dutch

³⁶ Burton, i, xl ix.

³⁷ *Cal. S. P. Dom.* (1654), p. 374.

³⁸ Burton, i, xl ix- li.

³⁹ Thurloe, ii, 664; cp. *C. J.* and Burton, *passim*.

⁴⁰ *Rawl. MSS.*, A328, f. 146.

⁴¹ *Cal. S. P. Dom.* (1654), pp. 456-7. To Clement Kinnersley for £168/6/0; to John Boulton for £375; to John Stowe for £350.

⁴² *Ibid.*, p. 375. The order for the warrant was issued Oct. 24 (*ibid.*, p. 381).

⁴³ Thurloe, ii, 664.

disputes had been virtually accomplished and that the government was relieved of all concern in that direction.

It had, indeed, many things nearer home to disturb it. The Protector's speeches with their reference to the more explosive elements among the Anabaptists and Fifth Monarchists had brought replies from the champions of that party. "Arise" Evans had been busy earlier in the year advising the Protector as to the course he should take. Feake had gone on with his attacks, even from his prison in Windsor Castle; and now George Fox took occasion of the declaration for a fast-day to issue a "warning from the Lord" to the government.⁴⁴ On the other hand there appeared a second edition of John Milton's *Defensio secunda pro populo Anglicano*, first published earlier in the year and containing a thoroughgoing defence of the Protectorate and an unqualified eulogy of the Protector. Meanwhile Samuel Richardson had produced a Baptist defence of Cromwell against the attacks of the Fifth Monarchists voiced by Spittlehouse in September. Still more important in this paper war was a petition of three colonels, Thomas Saunders, John Okey and Matthew Alured, all Baptists, which was, in essence, a Levellers' manifesto, protesting against a standing army commanded by a single person.⁴⁵ These, with others like them, indicated the disturbed state of mind among those who had once been foremost in the overthrow of the old monarchy but were now equally opposed to the new dictatorship.

They did not greatly affect the situation, which the government and the army had well in hand, and business went on as usual. Petitions for the suppression of blasphemous books⁴⁶ and for the establishment of a market in Clement's Inn Fields,⁴⁷ came in to Parliament; and, of more picturesque interest, at this moment Cromwell signed another pass for the Imperial general, Montecuculi, who had been in England apparently for some time, to go to the Continent:

*To the Commissioners of the Customs, and all others whom this
may concern*

OLIVER P.

These are to will and require you to permit and suffer Count De Montecuculi with his servants and necessaries to pass from England to Flanders, without any your lets or molestations. Of which you are not to fail and for which this shall be your warrant.

Given at Whitehall this 13th of October 1654.⁴⁸

⁴⁴ For a fuller list of these see Abbott, *Bibliog. of O. C.*, and the *Catalogue of the Thomason Tracts* (1908), ii, *passim*.

⁴⁵ Abbott, *Bibliog. of O. C.*, no. 716.

⁴⁶ Luke Fawne and others, *A Second Beacon Fired*, Oct. 1; *Sev. Proc.*, Oct. 10; *Merc. Pol.*, Oct. 12-19, gives date of presentation as Oct. 12.

⁴⁷ Thomason, ii, 87; Abbott, *Bibliog. of O. C.*, no. 622.

⁴⁸ Rawl. MSS. A 328 f. 132. See *supra*, p. 330. More than ten days later Bordeaux reported him still in London (*Thurloe*, ii, 675).

On the same day (Oct. 13) Cromwell wrote for Robert Everden a presentation

By Monday, October 16, the discussion of the *Instrument* had reached the important thirty-second article which provided that the office of Protector was to be elective and not hereditary and that on the death of the incumbent his successor should be elected by the Council. To the surprise of some who believed that he regarded himself as the next in succession, General Lambert made a long speech urging that the office of Protector be made hereditary; and to the still greater surprise of many — including, it was said, Cromwell himself — the motion was defeated by the overwhelming vote of two hundred to sixty or sixty-five.⁴⁹ Bordeaux reported that the result was contrary to the expectations of the Protector, "who thought himself sure, the day before, to keep the dignity in his family," and "without this confidence, he might easily have prevented that deliberation, which could not be but disagreeable to the officers of the army," the least of whom "doth pretend in his turn to command in England."⁵⁰ That momentous debate lasted three days and was followed by another of equal length on the question of the method of choosing a successor. That, it was finally determined, should be by the Council if Parliament was not sitting, though with further limitations and restrictions by that body. If Parliament was in session at the time of the Protector's death, it should have the right to elect his successor,⁵¹ and in so far, and only in so far, was the provision in the *Instrument* modified.

There is little doubt but that the debate was influenced in some degree by Cromwell's recent narrow escape from death or serious injury. He was now, according to report, if not "in perfect health,"⁵² at least sufficiently recovered to appear in St. James's Park in a sedan chair.⁵³ The Dutch ambassadors reported to their government that he was pleased with the resolution of Parliament and approved of it, but Bordeaux noted that Cromwell's "children . . . do not yet hold themselves altogether excluded; they may chance to be established by some other Parliament." But he observed also, "it is easily discerned, that the nation is nowise affected to his family, nor much to himself."⁵⁴ The great majority

to the vicarage of Brighthelmston (*Add. MSS. 19399, f. 81*); cal. in Henfrey, *Numis. Crom.*, p. 185.

⁴⁹ *C.J.*, vii, 376-7; Burton, i, li; Thurloe, ii, 681 (Bordeaux to Brienne, Oct. 19/29); *ibid.*, p. 684 (Dutch ambassadors to States General, Oct. 20/30); *Hist. MSS. Comm. Repts., Egmont MSS.*, i, 562.

⁵⁰ Bordeaux to Brienne, Oct. 19/29, Thurloe, ii, 681; Paulucci to Sagredo, Oct. 28/Nov. 7, *Cal. S. P. Ven* (1653-4), p. 275; Gardiner, *Comm. and Prot.*, iii, 200-1.

⁵¹ *C. J.*, vii, 376-7; Burton, i, liii-lviii.

⁵² Bordeaux to Charost, Oct. 23, Thurloe, ii, 669.

⁵³ Dutch ambassadors to States General, Oct. 30, quot. in Burton, i, lii *note*. See also *Perf. Diurn. and Merc. Pol.*, Oct. 19.

⁵⁴ Burton, i, lii.

against a hereditary Protectorate and the speeches made in the House against the proposal evidenced the truth of this observation. Colonel Shapcott's reply to Whitelocke's argument in favor of Lambert's proposal was, in fact, so vigorous that it was denounced as "treacherous, false, scandalous and seditious," and when it was printed, warrants were issued for the arrest of its author.⁵⁵ Alured, Okey and Saunders were cashiered for their "petition of the three colonels." Okey was arrested, tried by court-martial and condemned, but pardoned by the Protector and Ludlow was presently summoned to England to give satisfaction for his action in circulating the petition.⁵⁶ But this did not prevent Alured from issuing a defence of his conduct and opinions, nor Ludlow from continuing to oppose the Protectorate.

To this was added trouble with the seamen who, possibly encouraged by their officers, petitioned against impressment and irregularity of pay, and demanded that there should be no foreign service without the consent of those engaged, that dependents be allowed to draw pay when men were in that service and be compensated in case of death. The Protector ordered Desborough to investigate and report on disaffection in the fleet.⁵⁷ This he did in due time; a patent was issued directing that £100,000 be paid to the Navy Treasurer to meet arrears of pay; and by November 6, Penn reported that quiet had been restored.⁵⁸ The Council ordered Spittlehouse's *Answer to one part of the Lord Protector's Speech* sent to the Attorney-General who was directed to proceed against the author and Livewell Chapman, the printer, who was promptly arrested.⁵⁹

From all of this it appears that the question of Cromwell's position and authority, and the situation of public affairs in general had repercussions far outside the walls of Parliament and that there was widespread opposition to his rule among many of his old supporters. He still retained his hold on Parliament. On October 20 the House approved of his nominations for some of the principal offices of state which he had made a fortnight earlier.⁶⁰ To the petition from the East India Company for confirmation of its charter, dated October 6, the Protector promised on the 18th that "it should be very suddenly taken in consideration effectu-

⁵⁵ Hist. MSS. Comm. Repts., *House of Lords MSS.*, App. 7, p. 78; Thurloe to Pell, Nov. 24, Vaughan, *Cromwell*, i, 85; Parl. Hist., xx, 377-8; Burton, i, lxii-lxiii; C. J., vii, 383; Sev. Proc., Nov. 2-9, mention the printed speech, read Nov. 7 during the debate on the negative voice. It is dated Oct. 30 [20?] and is evidently an answer to the proposal of a hereditary Protectorate.

⁵⁶ Ludlow, *Memoirs*, i, 406ff.; cp. Cal. S. P. Dom. (1653-4), pp. 302-4.

⁵⁷ Abbott, *Bibliog. of O. C.*, nos. 714, 715; Cal. S. P. Ven. (1653-4), p. 279.

⁵⁸ Penn to Admiralty Comm., *Add. MSS.*, 9304, f. 97, quot. in Gardiner, *Comm. and Prot.*, iii, 215n.

⁵⁹ Cal. S. P. Dom. (1654), pp. 378, 389. Chapman was released on bail Nov. 2.

⁶⁰ C. J., vii, 378; cp. Whitelocke, p. 607.

ally;"⁶¹ and about the same time the Admiralty Committee was to report on the eleven ships mentioned in his order of 28 September.⁶² On his approbation, John Leslie, Earl of Rothes, was noted as having permission to remain at liberty three months longer on renewing his bail;⁶³ and it becomes apparent from these and other indications that the Protector's long absence from active business was coming to an end. It was noted that he was in good health again and "takes the air abroad as formerly."⁶⁴ On the 20th he received the newly chosen Lord Mayor of London, Packe, who was presented to him by the Recorder, Steele, with the usual exchange of complimentary speeches.⁶⁵ His renewed activity is further indicated by the documents to which he appended his signature, the number of which suggests that they were the accumulation of some weeks.⁶⁶ Among these lesser items of business, one of a few days later seems worthy of insertion, not for its importance but on account of the peculiarity of the materials for which license to import duty free was granted:

To the Commissioners for the Customs

OLIVER P.

These are to will and require you to permit and suffer that six bottles of orange flower water, ten pound of oil of Gialsemuin, ten pound of butter of Gialsemuin, three barrels of anchioves, one box containing twenty-five papers with fifty dozen of Gloves⁶⁷ of Gialsemuin,⁶⁸ and two jars of oil sent from Genoua to England, for the proper use of the Resident of Genoua, be received from aboard the vessel wherein they were transported, and landed, and disposed of for the use aforesaid custom free and without any other your lets, hinderances,

⁶¹ Foster, *Court Minutes*, iv, 346-7, and ref. there.

⁶² *Cal. S. P. Dom.* (1654), p. 376.

⁶³ *Ibid.*

⁶⁴ *Merc. Pol.*, Oct. 19-26; *Perf. Diurn.*, Oct. 19; cp. Thurloe, ii, 669, 684.

⁶⁵ *Merc. Pol.*, Oct. 19-26.

⁶⁶ Grant of petition from Thomas Thornton, minister to the Council, for money to move to Scotland (*Cal. S. P. Dom.* (1654), p. 376); order to Plymouth authorities to release William Frye after his apology for ill conduct (*Rawl. MSS.*, A328, ff. 133-4); order to Prideaux to prepare grant to Whitelocke as constable of Windsor Castle (*ibid.*, ff. 134-5); permits for the Swedish commissary and the Genoese resident to import wine duty free (*ibid.*, ff. 139, 150); permission to Colonels Pride, Price, Alderne, and other contractors for navy victualling to end their contract on Oct. 12 (*Cal. S. P. Dom.* (1654), p. 377; text in *Council Letter Book*, i, 75, p. 581); patent appointing Richard Pratt "Bedesman" for Trinity College, Cambridge (Lomas-Carlyle, App. 25 (2) n.); order to Walker to pay Commissary Thomas Fowler (*Rawl. MSS.*, A328, f. 135); instructions for Fowler of Oct. 21 and 23 (*ibid.*, ff. 136-8).

⁶⁷ Thus in Ms. [clove?].

⁶⁸ John Parkinson, in his *Paradisi in Sole Paradisus Terrestris* (1656), treats *Iasminum album* or *Gelseminum album* as identical with white jasmine which has "been in all times accepted into outward medicines, either for the pleasure of the sweet sent, or profit of the warming properties" (p. 407).

or molestations. Of which you are not to fail and for which this shall be your warrant.

Given at Whitehall this 23th of October 1654.⁶⁹

In addition to this curious document, on October 25 he signed orders to release two Royalists imprisoned earlier for alleged treason:

*To Our Trusty and Well beloved John Barkstead, Esq. Lieutenant
of Our Tower of London*

OLIVER P.

Our will and pleasure is that you forthwith discharge and set at liberty the body of Henry Seymour,⁷⁰ now a prisoner under your custody in our Tower of London. You taking good and sufficient security that the said Henry Seymour shall appear before Our Council at Whitehall within three days after summons in that behalf, and that he shall act nothing against or any way prejudicial to Us, or the Commonwealth. And for so doing this shall be your warrant.

Given at Whitehall the 25th of October 1654.⁷¹

*To Our Trusty and Well beloved John Barkstead, Esq. Lieutenant
of Our Tower of London*

OLIVER P.

Our will and pleasure is that you forthwith discharge, and set at liberty the body of Humphrey Bagaley,⁷² now a prisoner under your custody in Our Tower of London. You taking good, and sufficient security that the said Humphrey Bagaley shall appear before Our Council at Whitehall, within three days after summons in that behalf, and that he shall act nothing against, or any way prejudicial to Us, or the Commonwealth. And for so doing this shall be your warrant.

Given at Whitehall the 25th of October 1654.⁷³

The opinion of foreign observers confirmed the general impression made by the effort to perpetuate the Protectoral office in the Cromwell family. Bordeaux wrote that Cromwell himself was displeased at the

⁶⁹ Rawl. MSS., A328, f. 133, with a note that a similar order was sent to the Commissioners for the Excise.

⁷⁰ Seymour received a pass from Cromwell between January and June, 1654, travelling twice between England and France in that period (*Dict. Nat. Biog.*). He was imprisoned on June 17 for high treason (*Cal. S. P. Dom.* (1654), p. 274). After this order for release there seems to be no record of him until Feb. 3, 1656-7, when he petitioned for his liberty, stating that he had been released on bail in April, 1656, but had been returned to prison on Oct. 1. An order approved Feb. 7, 1656-7, permitted him to be sent beyond seas (*ibid.* (1656-7), pp. 260-1).

⁷¹ Copy in Rawl. MSS., A328, f. 138.

⁷² Humphrey Baggerley or Baggaley was a Royalist captain imprisoned May 21, 1654, for alleged complicity in the Gerard conspiracy (*Cal. S. P. Dom.* (1654), pp. 273, 289, 436). He petitioned on Aug. 7, 1654, for release (*ibid.*, p. 288) and on Sept. 1 the Council ordered his banishment (*ibid.*, p. 353).

⁷³ Copy in Rawl. MSS., A328, ff. 138-9.

vote to make the Protectorate elective and would try to have it reconsidered. "His friends," he added, "through policy say that he never desired to have that dignity settled upon him and his posterity,"⁷⁴ but the French envoy obviously did not believe that explanation. Paulucci noted that "the vote [making the Protectorate elective] is especially unpalatable to his two sons, but particularly the elder, who already shares the Protector's dignity and gives outward signs of his thirst for domination and command. The younger son is secretly devoted to the memory of the late King and to the royal family. He thinks of little but of living privately and enjoying the ease and liberty conceded him by his father, but neither of them has inherited the high spirit and deep knowledge of their parent in the important affairs of state or of war."⁷⁵ It is apparent that the Venetian confused the elder Richard with the younger Henry, and though he read Richard's character accurately, it is questionable whether he did not attribute to Henry more ambition than he possessed. It is not possible to accept the opinions of either Bordeaux or Paulucci at their face value, but there is no doubt but that they represented the judgment of many men about the Protectoral court, and for many reasons it seems far from improbable that the Protector was displeased with the independence of his Parliament. Nor can there be much doubt, in view of the evidence we have of his opinions expressed at various times, both before and after this vote, that he had some thoughts of perpetuating his power, either as Protector or as King, and passing it on in his family.

It was high time for the Protector to resume the reins of state. While he had been indisposed the disaffection and unrest throughout the country and the armed forces had grown. Not only had the sailors and officers held their meeting on the *Swiftsure* in Portsmouth harbor, prepared and presented their petition,⁷⁶ but the talents of the old Leveller-agitator Wildman had been added to those of the three colonels, Okey, Saunders and Alured, to produce a petition from the army against government by a single person, and though its general circulation throughout the army had been forestalled, that had not prevented its publication. Desborough had been despatched to quiet the seamen, but his mission, it was said, had been also designed to foil any attempt by Penn or Venables to turn their forces over to Charles II, to whom they were suspected of being more

⁷⁴ Bordeaux to Brienne, Oct. 13/23, Thurloe, ii, 668.

⁷⁵ Paulucci to Sagredo, Oct. 28/Nov. 7, *Cal. S. P. Ven. (1653-4)*, p. 275.

⁷⁶ Text of Petition of the sailors in *Merc. Pol.*, Nov. 2-9. See also Macray, ii, 405-6; Gardiner, *Comm. and Prot.*, iii, 214-5; cp. also Thurloe, ii, 709, and Ludlow, *Memoirs*, i, 406-9. Text of petition of the three colonels is in *Cal. S. P. Dom. (1653-4)*, pp. 302-4, under date of Dec. 20, 1653; apparently Mrs. Everett Green is in error in listing it under this date as Gardiner has already pointed out (*Comm. and Prot.*, iii, 211). It was also printed as a broadside in Oct. 18; see Abbott, *Bibliog. of O. C.*, no. 716; see *ibid.*, no. 715, for seamen's petition.

inclined than to the Protector,⁷⁷ and it is at least conceivable that they had been assigned to duty in the proposed expedition to the West Indies in part, at least, to keep them out of the way.

There was another reason for the Protector's re-entry into active affairs at this moment.⁷⁸ This was the necessity for the settlement of relations with foreign powers arising from the late war. To this end he signed various communications to continental rulers and states chiefly with regard to the re-establishment of commercial intercourse which had been interrupted by the Anglo-Dutch conflict — letters to the States General of the United Provinces, to the Estates of Holland and Zealand, to the authorities of Rotterdam and Dordrecht, the city of Bremen and the king of Sweden:

To the Exalted and Very Powerful Lords, the States-General of the United Provinces, Good Friends and Allies, Greeting, and Prosperous issues of your affairs.

Exalted and Very Powerful Lords, Good Friends and Allies,

Among the very numerous proofs of good-will and friendship between this Commonwealth and your Dominions which have been evidenced on both sides, it is to be reckoned by no means the least that the company of English Traders which we call The Adventurers, by mutual agreement has so many years continued its commerce and Residence in the Low Countries. And no slight advantage to that merchant body and to those whose interests are concerned has accrued from the fact that they established their Staple town and Residence in a fixed place. From which it has come to pass that the Wools of this Commonwealth, the merchandise with which that Company is chiefly concerned, are more reliably and conveniently distributed to the Buyers. This condition of affairs was made secure by agreements and alliances long since entered into by both Nations. And since the said Merchant Adventurers have obtained permission from us to re-establish their Staple town as a Trading-port; and for the greater advantage of carrying on Commerce at length have decided upon their Residence in some city within the United Provinces, a Residence which has been for some time given up on the occasion of the recent war; and, since they have given directions to their Representatives to this end, that they treat with one or several states under your sovereignty concerning the location to be settled on and the appropriate privileges; we have thought it necessary to bring the knowledge of this to your Lordships, and to ask of you that you deign to recognize and protect with your wonted favor these gentlemen and their trading company. And if, in discussion with a state of the sort in which

⁷⁷ See *Life of Dr. John Barwick* (ed. G. F. Barwick, L., 1903), pp. 97-8; Thomas Carte, *Coll. of Original Letters* (1739), ii, 54; Gardiner, *Comm. and Prot.*, iii, 216; *Clar. MSS.*, xlvi, f. 347.

⁷⁸ Apart from this evidence of his taking part in affairs once more, it seems that the Protector was now recovered. He was reported as out driving twice in the week of Oct. 19-26 (*Perf. Diurn.*, Oct. 19; *Merc. Pol.*, Oct. 19-26; Thurloe, ii, 684, Dutch envoys to States General, Oct. 20/30).

they would establish their Staple town, any difficulty should arise concerning the privileges, that you be pleased not only to settle it kindly by your authority, and to order them to renew your Decree proclaimed in the year 1599 concerning Commerce, and that the said decree be put into execution and observed through all the United Provinces. This will give evidence of your ready good-will toward us, which will hold us bound to like duties of kindly spirit to be fulfilled to your Lordships and to those under your dominion, as opportunity offers. Nothing else remains but that we heartily commend you and your fortunes to Divine Protection.

Given from our Court at Westminster the 26th of October in the year 1654.

Your good Friend,
OLIVER P.⁷⁹

To the Exalted and Powerful Lords, the States of Holland, our good Friends and Allies, Greeting, and prosperous issues of your fortunes.

Exalted and Powerful Lords, Good Friends and Allies,

Since, seeing that English Merchants of the Company which we call Adventurers, who have had for many years back a Staple town as their Trading-post somewhere within the United Provinces, have for some time, on account of the recent war, desisted and ceased to stay there; and since now they have obtained permission from us to re-establish their said Staple town in some city within your province as most convenient for carrying on their commerce; and have instructed their Representatives to treat in this matter with one or more cities of your said province, in which they wish to fix their location; we have thought it necessary to bring the knowledge of this to your Lordships and to hold you requested to deign to recognize the said company with your former favor and good-will as those who have at all times so conducted themselves that there resulted action well-considered for their reputation and satisfactory to all others with whom they carried on commerce; and whose residence among you contributed not a little to the promotion of Friendship and of good understanding betwixt the two States, and that, as they are to have a Treaty concerning privileges, which they have arranged with a place or places of the sort in which they may fix upon a location for themselves, that you be pleased to aid it with your authority and have it ratified; and that you order a decree concerning commerce, preferably that of the year 1599, to be renewed and observed within your province. This we are prepared to regard as no slight indication of your good-will, and will repay by all reciprocating services of friendship toward the people under the jurisdiction of your dominions. In all else we humbly pray the gracious and almighty God for your security and prosperous fortunes.

Given from our Court at Westminster the 26th of October in the year 1654.

Your good Friend,
OLIVER P.⁸⁰

⁷⁹ Trans. of copy in Rawl. MSS., A261, ff. 22-22v, pr. *infra*, App. II (20).

⁸⁰ Trans. of copy in Rawl. MSS., A261, ff. 22v-23, in App. II (21).

*To the high and potent Lord States of Zealand, our good friends and allies,
greeting and the prosperous success of affairs.*

High and potent Lords, good friends and allies:

Since certain news of your Assembly, which is now in session, has not been seasonably brought to us, it is for that reason that we have delayed up to this time responding to your letter, given on the seventh of August. In our former letter, to which you replied lately, it is possible to see the causes and reasons by which we were induced to write it. These reasons, indeed, were and even now are of so great weight and importance that we could by no means pass them over in silence, as if matters of this kind did not concern us; just as we can not still, until we know this with certainty, alone press upon the common enemies of both Commonwealths because they broke the peace recently made between both Commonwealths by their nefarious enterprises, and involved both peoples in new calamities and mixed them up anew in mutual slaughter and bloodshed (of which blood overmuch was poured forth in the recent deadly war). Doubtless the hope rises in them from this, that they might possess the way of introducing everlasting tyranny and despotism among those who in both nations have obtained their freedom at so great a price. And they considered it especially suitable for this purpose not only to overwhelm with foul words and contumely what was done and established by the high and potent Lord States of Holland and West Friesland for keeping the aforesaid peace safe and secure (just as we should not at all so much as have made peace at the beginning without this security, so, with the same security ruined, this peace of necessity must in like manner be brought into the same danger), but also to make a frontal attack upon it, and if it is in any way possible, to overthrow and demolish it completely. Wherefore, just as the fact that we have acted in a friendly manner with you and have applied ourselves to those matters in which the safety of both Commonwealths consists had not proceeded from a vain or officious sollicitude about foreign affairs, so we have not believed those things heedlessly or from common report, nor has our credence rested upon the trivial suspicions arising from the calumnies of ill-wishers. And yet we certainly cannot but fear that the evil designs of certain ones could have prolonged affairs and have fertilized the seed of discord, since already with great grief we see exhibited publicly and indeed under your names a treatise or dissertation in which that which was proposed and done by the aforesaid Lord States of Holland and West Friesland for establishing the security of peace is openly and intentionally attacked. And so this was the argument, to set forth briefly what great evils would threaten and might befall both Commonwealths, unless God averts them, if this security itself were weakened. We have considered it our duty anxiously and sedulously to look out for rightly tending and respecting this security, and that because of our ardent and Christian desire of maintaining and preserving that peace and union happily executed between this Commonwealth and the Allied Provinces of Belgium, and of impeding and warding off all those things which might have shattered the same and might have engaged the two neighbouring nations in a new war, not only to the ruin of both but also to the manifest danger of the Reformed Religion everywhere in the world. And seeing that your letter shows that you are equally sympathetic and inclined towards peace and tranquillity, and that you are determined to persist

faithfully and always in the same inclination, and will attend carefully to all those things which pertain to the mutual cultivation of love and trade, and that in like manner you will not permit any of your subjects to be encouraged in any design which is contrary to these things and injurious to concord, we hope and trust that Your Lordships are not in the least going to permit ill-disposed men, men who disturb the public peace and avidly long for the destruction of each other, to insinuate themselves or steal among you and your deliberations and lead them astray in order to destroy and ruin what you profess you were going to preserve and maintain; but on the contrary that in accordance with your singular prudence and shrewdness you intend to oppose by every means the machinations of the said ill-disposed men; and just as you will not fail any of the rest of the Provinces in any necessity which would contribute to the happy conclusion of peace, so you will neglect nothing which can serve in a proper manner to cultivate the same; much less will you oppose what has been done justly and laudably by the Lord States of Holland and West Friesland for maintaining peace. Whence it will happen that all the Provinces will not only enjoy peace with this Commonwealth, but will also rejoice in concord and union among themselves to the relief and delight of all worshippers of the true Religion, and to the terror and the frustration of the impious hope of its enemies, who are hostile to the good fortune of both Commonwealths. As regards ourselves, we certainly intend most promptly to contribute our service to advancing all those things which may in any respect whatever serve to attain the ends previously commended, and which may demonstrate our sincere efforts towards the peace and prosperity of the United Provinces and of each one of your Provinces. We intend always to act towards you as towards our good Friends and Allies, whose friendship we very highly esteem, and for whose good fortune we shall always strive; and we shall demand this good fortune by our ardent prayers. May God inspire your wise and salutary plans, and direct and make fruitful your affairs; to His divine protection we heartily wish you to be commended. Given from our Hall of Westminster, October 26 of the Year 1654.

Your good friend,
OLIVER P.⁸¹

To the most noble and distinguished Lords, Lords-Governors and Senators of the City of Rotterdam, Greeting.

Most noble and Distinguished Lords,

Seeing that English Merchants of the Company that we call Adventurers have petitioned us that with our good favor they may go back into the Low Countries and in some suitable place re-establish once more their Staple town as a Trading post, since their Residence has been interrupted for some time on the occasion of the recent war; it has seemed right to us to give heed to their

⁸¹ Latin original in Rijksarchief in Zeeland. The Latin with Dutch translation is pr. in *Brief van den Heer Protector vande Republieke van Engeland . . . van den 26 Octobris des Jaars 1654*, and in *Tweede Briefe . . .* Dutch translation in "Brieven aan Johan de Witt," pt. 1, ed. by Robert Fruin, in *Hist. Genootschap*, ser. 3, no. 42 (1919). Latin copy in *Rawl. MSS.*, A261, ff. 20v-22, pr. *infra*, App. II (22).

entreaty in this respect and to afford them the opportunity of restoring and again settling their Trading-post in whatever city or place within the United Provinces shall seem most convenient for carrying on their commercial activities. Also the opportunity of treating and covenanting with the Magistrates of that place concerning the privileges which are needed for the more advantageous enjoyment and exercise of their Commerce. Wherefore, since it has been ascertained by us that your city, among others, when this proposed return came to your attention, invited our said merchants to fix their location again at that place; we, being humbly requested by the said Merchants, have determined that these letters be written to you that you may know, not only that your good-will toward the aforesaid Merchants is most pleasing to us, but that we shall be most ready to effect that all agreements of the sort that are concluded on this matter between you and the Representatives of the Merchants be ratified and confirmed. In all else we desire your lordships to fare well.

Given from our Court at Westminster the 27th of October in the year 1654.

Your good Friend,

OLIVER P.^{ss}

To the most noble and distinguished Lords, Lords-Governors and Senators of the City of Dordrecht, Greeting.

Most noble and Distinguished Lords,

Seeing that the English Merchants of the Company that we call Adventurers have petitioned us that with our good favor they may go back into the Low Countries and in some suitable place re-establish once more their Staple town as a Trading-post, since their Residence has been interrupted for some time on the occasion of the recent war; it has seemed right to us to give heed to their entreaty in this respect and to afford them the opportunity of restoring and again settling their Trading-post in whatever city or place within the United Provinces shall seem most convenient for carrying on their commercial activities. Also the opportunity of treating and covenanting with the Magistrates of that place concerning the privileges which are needed for the more advantageous enjoyment and exercise of their Commerce. Wherefore, since it has been ascertained by us that your city, among others, invited there our aforesaid Merchants and promised them all the privileges which are granted elsewhere and are requisite for carrying on their Commercial operations, we, being humbly requested by the said Merchants, determined that these letters be written to you, that you may know, not only that your good-will toward the aforesaid Merchants is most pleasing to us, but that we shall be most ready to effect that all agreements of the sort that are concluded on this matter between you and the Representatives of the Merchants be ratified and confirmed. In all else we desire your lordships to fare well.

Given from our Court at Westminster the 27th of October in the year 1654.

Your good Friend,

OLIVER P.^{ss}

^{ss} Trans. of copy in *Rawl. MSS.*, A261, ff. 23v-24; Latin in App. II (23).

^{ss} Trans. of copy in *Rawl. MSS.*, A261, ff. 24-24v; see App. II (24).

OLIVER CROMWELL

*To the Magnificent and most Noble, the Consuls and Senators
of the City of Breme[n].*

By your letters delivered to us by your resident Henry Oldenburgh, that there is a difference kindled between your city and a most potent neighbour, and to what straits you are thereby reduced, with so much the more trouble and grief we understand, by how much the more we love and embrace the city of Breme, so eminent above others for their profession of the orthodox faith. Neither is there any thing which we account more sacred in our wishes, than that the whole Protestant name would knit and grow together in brotherly unity and concord. In the mean time, most certain it is, that the common enemy of the reformed rejoices at these our dissensions, and more violently everywhere exerts his fury. But in regard the controversy, which at present exercises your contending arms, is not within the power of our decision, we implore the Almighty God, that the truce begun may obtain a happy issue. Assuredly, as to what you desired, we have written to the king of the Swedes, exhorting him to peace and agreement, as being most chiefly grateful to Heaven, and have gladly offered our assistance in so pious a work. On the other side, we likewise exhort yourselves to bear a calm spirit, and by no means to refuse any honest conditions of reconciliation. And so we recommend your city to Divine Protection and Providence.

Your lordship's most affectionate,
OLIVER, P.⁸⁴

Whitehall, Westminster,
October 27, 1654.

To Charles Gustavus of Sweden

MOST SERENE KING,

Seeing that I have recently been convinced by your letter of the singular good will of Your Majesty toward me, and I myself have written with a good will equal to that in your letter, it seems to me that I shall in turn do more precisely to the advantage of our friendship if, just as I communicate the pleasant things which might happen to our mutual delight, so I deplore and reveal my frame of mind concerning the things which might happen otherwise, as if they were pleasing to you. Indeed I consider myself to be established at the head of the Commonwealth at this time to the end that I ought especially to strive and plan to the best of my ability for the common safety and peace of the Protestants. Wherefore it is the more painfully necessary that I make known what things are reported to us about the battles of the Swedes and the people of Bremen and the injuries inflicted on each other. I am afflicted on account of this, first that both our friends are fighting it out among themselves so cruelly and so dangerously to the interests of the Protestants, next that the Treaty of Münster, which it was believed would be of the greatest protec-

⁸⁴ Symmons, *Milton*, iv, 376-77. Copy in *Add. MSS.*, 4156, f. 117, *Ayscough Cat.* i, 200. Original in Bremen Archives, dated Oct. 27. Dated Oct. 5 in *Skinner Trans.*, cp. Hamilton, *Milton Papers*, p. 15. Dated Oct. 25 in Masson's *Milton*, v, 166. Copy in *Rawl. MSS.*, A261, f. 25v, and in *Archives des Affaires Étrangères, Allemagne*, 9 (1654). Both Latin and English in Milton, *Works* (Columbia), xiii, nos. 49 and 154.

tion for all the Reformed, has brought forth a calamitous war of this kind, so that now the arms of the Swedes are turned against those whom, among others, they bravely defended a short time ago for the sake of the Religion. I grieve above all that this happens at the time when the Papists are said to be everywhere throughout almost the whole of Germany again crushing the Reformed, and openly returning to their former violence and to outrages which were for a short time interrupted. Accordingly, since I understood that a truce of several days had already been offered to the City of Bremen, given this occasion I could not indeed not signify to Your Majesty how I desire from the heart, and how earnestly I pray the God of peace, that this truce may turn out well for both parties, and that it may end in a stable peace in conformity with an agreement convenient to both. If Your Majesty should judge that my service would contribute anything to this matter, or would be of use, I gladly promise and offer this service to you as in a cause without doubt most acceptable to the Divine Will. Meanwhile I heartily desire that God may direct and guide all Your Majesty's deliberations to the common safety of the Christian weal; nor do I doubt that you yourself greatly desire the same. Given from our Hall of Westminster October 27th, in the year 1654.

Your good friend

OLIVER P.⁸⁵

These letters, save for the almost identical communications to Rotterdam and Dordrecht, together with the preparation of the two naval expeditions now nearly ready to sail, provide a clue to the development of the Protectoral foreign policy. That to the States General, like those to Rotterdam and Dordrecht, did little more than assure the restoration of the rights and privileges of the Merchant Adventurers as they had been before the war, especially the re-establishment of their "staple towns" for the wool trade according to the old agreement of 1599. But to Zealand, where the cause of the House of Orange was strongest, the appeal was political, urging Protestant solidarity and the maintenance of the newly-signed peace in the interest of both commonwealths. In the same spirit he endeavored to compose the quarrel between Bremen and Sweden, offering his mediation to that end. Taken in conjunction with the fact that Blake sailed on his mission to the Mediterranean on October 8,⁸⁶ and that Penn was formally commissioned general and commander-in-chief of the fleet destined to the West Indies a month later, Cromwell's design becomes clearer. It seems to have been to secure his flank and rear in so far as possible by establishing peace in the Channel and North Sea areas, while directing his offensive elsewhere. It was no less his purpose, by leaving France and Spain equally

⁸⁵ Trans. from copy in *Rrol. MSS.*, A261, ff. 24v-25. Original in Riksarkivet in Stockholm; contemporary copy in Bremen. Trans. also in Symmons, *Milton*, iv, 375-6; Latin and English in Milton, *Works* (Columbia), xiii, no. 48. Cp. letter from Henry Oldenburg in Thurloe, ii, 686.

⁸⁶ Powell, *Blake*, p. 268.

in the dark as to his real objective as long as possible, to wage what is called in modern phrase a "war of nerves" and play off the one against the other. It was quite possible that Blake's expedition was what it purported to be — merely a move to secure English commerce in the Mediterranean, especially from interference by the piratical powers of the north African coast, and to impress Mediterranean powers with British naval strength. It was no less possible that it might serve to aid the opponents of the French monarchy, whoever and wherever they might be. In Mazarin's opinion, apparently, it was especially designed to block the designs of the Duke of Guise who had sailed in August to attempt the conquest of Naples; and at any rate this turned out to be one of its chief results.⁸⁷

Bordeaux was especially alarmed at his inability to secure an audience with the Protector. His anxiety was increased when in mid-October there arrived the news of the capture of three forts in Acadia by an expedition from New England under Sedgwick and Leverett, and he appealed in vain to the Protector to restore the posts.⁸⁸ Nor was the French envoy consoled by the rumor that he could not get a proper audience with Cromwell until his credentials were renewed, since their superscription was "directed to the late Queen,"⁸⁹ — a newsbook report which seems to lack something of authenticity but reflects the fact that for one reason or another he was finding access to the Protector difficult. This much seems certain — whether Blake's expedition and the attack on the French in Acadia were part of a general movement against France, or whether they were mere feints to distract attention from his main objective, they served their purpose in concealing Cromwell's real designs and kept both France and Spain acutely anxious as to his next move. It was no part of the Protector's policy to relieve them of their anxiety, and the preparation of two fleets, joined to the expedition from New England and to the Protector's negotiations with the Protestant states on the continent, were peculiarly adapted to leaving each power in doubt as to where the blow might fall.

Apart from his concern with foreign affairs, however, Cromwell had much to attend to at home. The report from the Hague that he had been shot through the head and killed by one of the members as he came from Parliament⁹⁰ was, of course, not true, however much some of those members might have desired it; but on the 19th the Council ordered that his life-guard of 45 men be continued as formerly.⁹¹ Parlia-

⁸⁷ Mazarin to Bordeaux, Dec. 23/Jan. 2, Thurloe, iii, 41; Cardenas' despatch, Dec. 25/Jan. 4, *Simancas MSS.* 2529, cited in Gardiner, *Comm. and Prot.*, iii, 147n.

⁸⁸ Bordeaux to Brienne, Oct. 16/26, *Fr. Trans. R. O.*

⁸⁹ *Sev. Proc.*, Oct. 23.

⁹⁰ Thurloe, ii, 677.

⁹¹ *Cal. S. P. Dom.* (1654), p. 378.

ment, in the meantime, had discussed the question of the nomination of officials by the Protector and their approval by the House. That being agreed to, Cromwell's nominations of October 5 were finally confirmed,⁹² and Parliament proceeded to debate the thorny question of religion.

Its first act was to accept Article 35, to the effect that the Christian religion as contained in the Scriptures should be the faith of the nation and the "maintenance of able and painful teachers" be continued on its present basis until other provision be made. Concerning this — save for the continuance of tithes, which was thus tacitly accepted — there could be but little fundamental difference of opinion. But Article 36, which provided that no one should be compelled by law to "public profession" of his faith, raised the whole difficult problem of toleration, and the debate on that question lasted three whole days without any conclusion being reached. So, with the two following articles, which involved the same problem, the whole matter was referred to a committee to present a report within two days. Then it brought in a recommendation which evoked as much discussion as the original question, and it was voted to appoint another committee to consult with the Protector and find, if possible, some means of reconciling the divergent opinions on this important and highly controversial question.⁹³

Thus, like everything else, this new burden was laid on the shoulders of the Protector, and, among other things, seemed to demonstrate that if there were no such office, it would have to be created to deal with just such matters as these. The question of his supremacy, at least, seemed to be settled.

Though Condé's agent, Barrière, reported that Parliament was doing all it could to diminish Cromwell's authority,⁹⁴ Thurloe wrote to Pell that not over thirty members had refused to sign the Recognition.⁹⁵ The two reports were not incompatible. It is true that Parliament was endeavoring to set limits to the Protectoral power, but it is also true that most members were disturbed at the thought of what would happen if he were removed. In a sense the coach accident did something to strengthen his position, for men were forced to consider their own situation and that of their party without him, and they were not cheered by the prospect, whatever they thought of Cromwell personally or of government by "a single person." If he went, who or what would take his place? Yet his government was neither popular nor inexpensive, especially the latter.

⁹² Burton, i, lviii.

⁹³ *Ibid.*, pp. lix-lx.

⁹⁴ Barrière to Condé, Oct. 24/Nov. 3, Thurloe, ii, 692.

⁹⁵ Thurloe to Pell, Oct. 28, in Vaughan, *Cromwell*, i, 68-71, also in *Lansdowne MSS.*, 751, f. 205. Cp. also Lomas-Carlyle, ii, 392n.

On October 31 a warrant from Gualter Frost authorized the Protector's "cofferer," John Maidstone, to collect £10,000 spent for the "charge of government."⁹⁶ The report of the Admiralty Commissioners to the Protector and Council complained of the lack of funds at their disposal, despite the £100,000 ordered on October 12, which had been used in fitting out Blake's fleet.⁹⁷ The revolutionary government, in fact, found itself on the horns of a dilemma. On the one hand, it was obliged to keep on foot a great force by land to maintain its position at home, and a great force by sea for its foreign adventures. On the other hand, it had all but exhausted the spoil of its enemies, and it dared not risk too heavy taxation. As the diarist of the Parliament wrote, "It was in every man's sense, to go as low as possibly could consist with our safety. . . . This alone would sweeten the alteration and change which was intended amongst us . . . if we did not ease them in their purses, we should never think to oblige them ever to us."⁹⁸

Thus if the position of the Protector was difficult, that of the Parliament was even more so. In its dual capacity as a constituent assembly and a legislative body, the two parts of its activity were often almost inextricably confused. The exigencies of the situation compelled it to legislate while at the same time it had to consider the foundations of the government of which it was a part; to formulate or assert its own place in that government; and to determine the position and authority of the Protector and its relation to him and his office. If this were not enough, many of its members were strongly opposed, not only to Cromwell personally, but to the Protectorship, and to the whole scheme of government which the Parliament was endeavoring to frame by its revision of the *Instrument*. It is no wonder, then, that its proceedings were so involved and confused between the process of legislation and the concurrent framing of a new constitution.

Its position at this moment is well illustrated by the fact that while the articles relating to religion were being discussed between its committee of ten and the Protector, the House itself went on to debate Article 40 of the *Instrument*, which related to the terms made with the "enemy," that is to say the Royalists, and the appeals made to the late Parliament for relief from bills of sale of delinquents' estates. It listened to pleas from Sir John Stawell, Lord Craven and the Earl of Salisbury, agreeing that their petitions and others then before the House be referred to a committee, but that other lands might be forfeited for treason or delinquency. From this it turned to an order for further consideration of abuses in writs and the law courts, and so went back to discuss Articles 41 and 42 of the *Instrument*,⁹⁹ which provided for the oaths to be taken

⁹⁶ *Cal. S. P. Dom.* (1654), p. 457.

⁹⁷ *Ibid.*, pp. 388-9.

⁹⁸ Burton, i, lxxxv.

⁹⁹ *Ibid.*, p. lxi; cp. also *Sev. Proc.*, Nov. 2-9, and *Merc. Pol.*, Nov. 2-9.

by the Protector and the Council, for which the *Instrument* provided. Appointing a committee to draw up appropriate forms,¹⁰⁰ the House turned next to order that a report on the Act for the ejection of scandalous ministers be brought in on the following Monday,¹⁰¹ and that the Grand Committee on the government report its conclusions on Tuesday.¹⁰²

While the long and critical process of revising the *Instrument of Government* and regulating the forms and functions of the new administration drew to a close, the Protector and his Council seemed singularly inactive. Whatever their concern about the two fleets then being fitted out and the wider implications of their foreign policy, these found no reflection in official records. The Protector referred a few petitions to the Council and himself signed three orders, one a pass for a Christopher Nelson to go abroad,¹⁰³ the others relating to financial matters.¹⁰⁴ On October 31 he renewed the appointment of John Owen as vice-chancellor of Oxford:

*For our worthy Freinds the Vicechancelor and Convocation
of the University of Oxford*

Gentlemen.

Considering how necessary it is that the government of the University bee continued in an able and faithfull hand, wee doe hereby nominate and appoint Doctor John Owen Deane of Christchurch to the place of Vicechancellor to your University for the yeare following not doubting but hee will answer that care and vigilancy which the service and occasions of that place doth call for, wherein alsoe you shall not want the ready assistance of

Whitehall October
31th 1654.

Gentlemen
Your loving freind and Chancellor
OLIVER P.¹⁰⁵

On the first day of November Cromwell received Lodowick de Gand, Resident in England for the Duke of Juliers and Guelders, to announce the death of his master.¹⁰⁶ Besides these minor matters of business, the Protector wrote a letter on November 3 concerning salt used by the fishing-fleet which on November 30 was referred to the Commissioners General of the Revenue.¹⁰⁷

¹⁰⁰ Burton, i, lxi.

¹⁰¹ *Sev. Proc.*, Nov. 2-9.

¹⁰² Burton, i, lxii.

¹⁰³ Rawl. MSS., A328, ff. 139-40.

¹⁰⁴ To Col. Wm. Goffe (*ibid.*, ff. 140-41); to Gualter Frost (*ibid.*, f. 140).

¹⁰⁵ *Acts of Convocation* (1647-59), p. 255. His first appointment was Sept. 9, 1652.

¹⁰⁶ His speech to Cromwell in *Perf. Diurn.*, Oct. 30-Nov. 6. Cp. *Sev. Proc.*, Nov. 2-9.

¹⁰⁷ Dunlop, *Ireland under the Commonwealth*, ii, 461, with ref. there to Orders A/5, 5, f. 37.

The consideration of such commonplace and often insignificant details of administrative routine was a far cry from the great days when the Lord General had directed the fortunes of armies on whose success depended the fate of his country and his cause. Those armies, now turned into garrisons, still played a major part in public affairs, not only by the fact that they were the foundation of Protectoral power, but that the expense of their maintenance was one of the greatest, if not the greatest, of the Protector's problems. This expense Parliament was determined to reduce if possible, and on November 4 the committee appointed to consider that question made its report consisting chiefly of a list of the garrisons which it recommended be abolished. It is notable that nearly all of these were in border or coast towns.¹⁰⁸ It is still more notable that this was, in effect, a blow at his ascendancy, for the reduction of the armed forces brought with it as a natural consequence the reduction of Cromwell's power, and it raised a fundamental issue between Protector and Parliament.

This challenge to his authority was accompanied by another of great consequence. At this moment a London merchant, George Cony, refused to pay the customs duties on a consignment of silk on the ground that there was no legal authority for their collection and went so far as to resist the commissioners when they came to his house to seize the goods in question. At once the government proceeded against him. He was presently fined £500; on his refusal to pay the fine he was imprisoned; and his ensuing trial became one of the major issues of the time.¹⁰⁹ For Cony's challenge to the Protector's authority raised the whole question of the legality of the existing government; of the *Instrument* on which it was nominally based; and of the position and authority of Cromwell himself. If the reduction of the armed forces involved the security of the Protector, Cony's case challenged the whole legal and constitutional foundation of his administration. It was the more important in that Cony was not only a representative of the City interest but a Nonconformist and a former follower of Cromwell. As Clarendon tells the story:

. . . one Cony, an eminent fanatic, and one who had heretofore served him very notably, positively refused to pay his part, and loudly dissuaded others from submitting to it. . . . Cromwell sent for him, and cajoled him

¹⁰⁸ Thurloe, ii, 713-14; Burton, i, lxxviii.

¹⁰⁹ Selwood, *Narrative . . . of the case of Mr. Coney*; Nieupoort to the States General, May 18/28, 1655, Add. MSS., 17, 677, w. f. 95.

It was apparently at about this time also that one John Harris was convicted of forging Cromwell's signature and seal and obtaining £900 by it. Cp. J. B. Williams, *Hist. of Eng. Journalism* (L. & N. Y., 1908), p. 107 and note quoting *Merc. Fumig.*, Nov. 23-30. This was the more embarrassing in that Harris had been printer to the army, in which he held a commission. Cp. *Speech of Major John Harris*, 1660.

with the memory of the old kindness and friendship that had been between them, and that of all men he did not expect this opposition from him, in a matter that was so necessary for the good of the commonwealth. But it was always his fortune to meet with the most rude and obstinate behaviour from those who had formerly been absolutely governed by him, and they commonly put him in mind of some expressions and saying of his own in cases of like nature; so this man remembered him how great an enemy he had expressed himself to such grievances, and declared that all who submitted to them and paid illegal taxes were more to blame, and greater enemies to their country, than they who imposed them, and that the tyranny of princes could never be grievous but by the tameness and stupidity of the people. When Cromwell saw that he could not convert him, he told him that he had a will as stubborn as his, and he would try which of them two should be master; and thereupon, with some terms of reproach and contempt, he committed the man to prison. . . .¹¹⁰

Clarendon's account, though written years after the event and doubtless from hearsay evidence, probably represents not merely the current gossip of the time but in general the facts of the case which was to play a great part in the events of the following year. Taken in connection with the petition of the three colonels, Ludlow's defection, Shapcott's indictment of the Protectorate, the seamen's protests, and like phenomena attendant on the Parliamentary debate over the position and powers of the Protector, it reveals widespread discontent with the Cromwellian ascendancy, together with a certain distrust of the Protector. That was further expressed in the discussion over the legislative powers of the Parliament and the Protector's right of veto. On November 7 the Grand Committee reported the resolutions of September 19 and 20 that Cromwell be Protector for life, but on November 9 and 10 there broke out another violent debate as to whether Article 1 or Article 24 of the *Instrument* should have precedence in legislative matters. The first provided for absolute co-ordination between Parliament and Protector; the other provided that any bill passed by Parliament and presented to the Protector should become law within twenty days if he did not give his consent or afford satisfaction to Parliament. This, though bitterly opposed by the "court" party, was carried, though a later amendment somewhat modified the force of the original motion by providing that such bills should contain nothing "contrary to such matters, wherein the said single person and the Parliament shall think fit to declare a negative to be in the said single person,"¹¹¹ a conclusion which, in effect, concluded very little.

¹¹⁰ Clarendon, *History*, xv, 150. At the same time the vexatious problem of the Fens was raised by petitioners against George Glapthorne in the Isle of Ely. Cf. Abbott, *Biblog. of O. C.*, no. 623, for the report of the proceedings before the Council published at this time.

¹¹¹ Burton, i, lxxi.

Feeling in the debate ran high. The vote on the original motion — 85 to 76 — showed how nearly the House was divided.¹¹² The vigorous challenge to Desborough's assertion that Cromwell had "obtained" power for himself, that he had "conquered" it, or that he had it "by Providence," revealed the strength of the opposition to that Cromwellian contention. Though the debate ended on a pacific, even a humorous, note, the phrase "bugbears and brainsquirts" used in it — which brought a reproof from the House — indicated that tempers had grown short and that there was plenty of opposition to dictatorship even in Cromwell's own party. His rule had passed through a critical examination. It had survived that test but only by a comparatively narrow margin and it was even less popular outside the House than within its walls. It had, indeed, one great advantage, apart from its control of the army, which even the strongest arguments of its opponents could not break down. That was its apparent inevitability. What was the alternative? To Republicans and Parliamentarians it was the supremacy of Parliament, but even they were bound to admit the necessity for an executive head. To Royalists it was obviously monarchy, but that was unthinkable to the men now in control, who had risked their lives to overthrow monarchy. However much they hated dictatorship, it was preferable to an acknowledgement of failure. Like their leader they "trod a path of fire" and like him they were compelled to go on or be destroyed.

While the question of the maintenance of his position at home was being debated, intelligence from abroad traced the development of the Protector's foreign policy and its repercussions on Continental powers. Coyet was reported as ready to leave Stockholm with a ratification of the treaty of the 11th of April.¹¹³ From the Hague it was reported that there was continuing dissatisfaction over the exclusion clause of the Dutch treaty and a demand that Prince William of Orange be designated, if not commissioned, stadholder until he was twelve years old, an arrangement which, it was said, would satisfy the agreement, conciliate the Orange faction, and meet the contingency that either he or the Protector might die in the interval.¹¹⁴ A letter from the English resident in Constantinople, Richard Lawrence, announced the death of the Dutch resident there and the reluctance of the Dutch merchants to accept English protection in spite of the treaty with the Sultan which provided for that contingency.¹¹⁵ From Paris came a report that the French court's fear of Cromwell had grown to such proportions that the Huguenots were being shown more favor than ever before, though there was certainly no real affection for them.¹¹⁶

¹¹² *Ibid.*, pp. lxvi-lxxi.

¹¹³ Thurloe, ii, 722; cp. *supra*, pp. 251-2.

¹¹⁴ *Ibid.*, p. 704. At the same time that accomplished conspirator, Silas Titus,

¹¹⁵ Thurloe, ii, 708.

¹¹⁶ *Ibid.*, p. 716.

These reactions evidenced that Cromwell was now more than an English or even a British ruler, he had become an international figure, even while his position at home was being questioned in the country and debated in Parliament. There, over and over again, the old questions of his authority, its basis and its limitations, were threshed out in the House with endless and seemingly purposeless reiteration. On Tuesday, November 14, the further definition of his veto powers was undertaken. The "single person" was to be allowed a negative to any bill which might attempt to alter the government,¹¹⁷ and after further more or less futile discussion, power was granted him to veto any bill proposing to lengthen the life of a Parliament beyond the six months previously agreed on as the length of its sessions.¹¹⁸ His title was to be "Lord Protector of England, Scotland, Ireland and the dominions thereunto appertaining," and during his lifetime he should have the disposition of all forces on land and sea, with the consent of Parliament when in session, otherwise with that of the Council.¹¹⁹ In case of his death, the ultimate decision was to entrust their direction to the Council in the interval between Parliaments which should take over the disposal of the forces on reassembling.¹²⁰ With this the House took up again the vexed question of the new assessment. Though it had appointed a committee to confer with the Protector on that delicate question, the diarist observed that "in regard much of it still rested in the breast of the Lord Protector, who had given no answer," the committee was able to make only a brief and tentative report; and it is apparent from this, as from every other piece of evidence we have that, despite the "limitations" on his power, nothing was or could be done without Cromwell's approval.

Mingled with these transactions were others unrelated to them or to each other, but all a part of the Protectoral activities. On November 7 he called the Commissioners of the Great Seal and the Master of the Rolls to account for negligence:

To Our Right Trusty and right Well beloved the Lords Commissioners of Our Great Seal of England; and the Master of the Rolls in Our Chancery

OLIVER P.

Forasmuch as by an order of the Court of Exchequer made in the ninth year of the reign of the late King Charles, and certificate of the secondary in the Treasurer's Remembrancers Office there, hereto annexed: It manifestly ap-

wrote from Breda for permission to return to England, promising fidelity to the Protector in return for that privilege (*ibid.*, p. 720).

¹¹⁷ Burton, i, lxxiii; *C. J.*, vii, 385.

¹¹⁸ Burton, i, lxxiv-lxxv; *C. J.*, vii, 388.

¹¹⁹ Burton, i, lxxviii; *C. J.*, vii, 386. Cp. *Perf. Diurn.*, Nov. 16; *Merc. Pol.*, Nov. 16-23; Thurloe to Pell, Nov. 17, Vaughan, *Cromwell*, i, 80; Gardiner, *Comm. and Prot.*, iii, 207.

¹²⁰ Burton, i, lxxix; *Parl. Hist.*, xx, 380.

pears what great wrong and prejudice for divers years last past hath been and yet is done to the Commonwealth, through the negligence of the Clerks in Chancery for want of their transcripting into the Exchequer in due time and manner as anciently hath been accustomed the originals of such Letters Patents, Grants, Offices and Commissions granted under the Great Seal of England which ought by the law to be so done within one year after such passing, or taking the same; By which means it hath happened that the persons accountable have not, nor can be called to Account for such profits, or moneys as have been, or are due and payable to the Commonwealth; and by consequence the revenue of the Commonwealth hath not hitherto been so duly answered as it ought, but is much impaired; and a great part thereof either actually is, or (at least) in danger to be lost, unless a speedy and effectual remedy be used in the premisses: Our will and pleasure therefore is, and We do hereby straightly charge, and command you that you forthwith call before you all and every the Clerks in our Chancery and of the Pettybagge, whom the premisses concern, and strictly examine the neglects, and abuses herein, which may no longer be suffered and to take such speedy and effectual course that all the said originals be without further delay carefully transcribed into Our Exchequer as hath been heretofore accustomed, that our service may be no further prejudiced, nor the rents, and services due and payable to Us in the right of the Commonwealth be longer kept out of charge in our Exchequer, nor particular persons or corporations prejudiced in their respective grants in the future. And hereof We expect your present care according to the importance of this service, and as the duty of the respective officers concerned in the premisses do require.

Given at Whitehall the seventh day of November 1654.¹²¹

On the 8th he recommended consideration of payment to the six commissioners "for removing obstructions."¹²² At the same time, an assurance of safety which he had issued in July to Captain William Sadlington and his family to come from France to England was violated when Colonel Robert Hammond arrested the Captain.¹²³ Apparently, like a note to the Lord Deputy and Council in Ireland asking relaxation of the rule for transplantation in the case of James Murray, second Earl of Annandale,¹²⁴ this was a part of his general policy of conciliating Royalists wherever possible.

He was, in fact, the "supreme authority" in a sense which the authors of that phrase could hardly have dreamed; and at this moment we get one of those rare glimpses into his real thoughts on the situation and a hint of his impatience with Parliament. On Friday, November 17, a report from the sub-committee which had been conferring with him on

¹²¹ *Rawl. MSS.*, A328, ff. 148-49.

¹²² *Cal. S. P. Dom.* (1654), pp. 389, 393, 397; he attended Council on the 8th.

¹²³ *Ibid.*, p. 395; *ibid.* (1655), pp. 49, 58, 65, 68; and see *supra*, p. 369.

¹²⁴ Dunlop, *Ireland under the Commonwealth*, ii, 456. Nov. 11 he signed a pass for Michael Harvey and his servant who "carry nothing with them prejudicial to the State" (*Rawl. MSS.*, A328, ff. 141-2). On the same day he signed an order to Frost to pay Thurloe £600 "for the business of intelligence" (*ibid.*, f. 142).

the subject of toleration indicated that he was highly annoyed and did not feel called upon to co-operate in the matter, since at every other juncture Parliament had gone ahead without his advice. As the reporter of the Parliament records:

. . . the Lord Protector was wholly dissatisfied with the thing, and had no propensity or inclination to it; [saying] the Parliament had already taken the government abroad (in pieces was meant), and had altered it and changed it, in the other articles, as they pleased, without his advice; and therefore it would not become him to give any advice at all, singly and apart, as to this article. But he commended the work, wished well to it, and told them that the sooner they could despatch the whole, it would be better for the service, or to that effect.¹²⁵

Though he considered this a "good work," he added that it did not seem to be making much progress.¹²⁶ Later the Nonconformist leader Baxter was summoned to preach before him but he was not allowed to defend his own views on toleration — or, indeed, on any subject.¹²⁷

In this, as in all other things, the Protector was apparently finding his task harder than he had earlier imagined it would be. The observation of the diarist-member Goddard that only the reduction of the taxes "would render our government acceptable and amicable" and that "this alone would sweeten the alteration and change which was intended amongst us,"¹²⁸ reveals the two-fold problem which confronted the Protectorate — the armed forces and taxation — so closely connected and each contributing to the unpopularity of the other.

The Protector realized the demand for economy however little he could yield to it; and even if he had not recognized it, the demand was forced on him by Parliament under the lead of that rigid Presbyterian economist, Colonel Birch, who had the business in hand. By allowing £840,000 for income from customs and excise; £29,000 from Scotland and Ireland; £60,000 from sequestered estates; with various other items, including £124,000 from new taxes, it was estimated that some £1,200,000 could be raised. This was far short of expenditure, despite Birch's figures, as was revealed by the Protector's representative Montagu, who reckoned a revenue of some two millions and a quarter against an expenditure of over £2,600,000.¹²⁹ The Protector yielded a little in consenting to some reduction in the armed forces, and — until the preparations for a new offensive — a saving on the navy. There can be little doubt but that, among the various reasons for that offensive, the

¹²⁵ Burton, i, lxxix-lxxx.

¹²⁶ Vaughan, *Cromwell*, i, 80 (Thurloe to Pell, Nov. 17).

¹²⁷ *Reliquiae Baxterianae* (ed. M. Sylvester, L., 1696), pp. 197ff., 205.

¹²⁸ Burton, i, lxxxv.

¹²⁹ Cf. M. P. Ashley, *Fin. and Comm. Policy under the . . . Protectorate* (L., 1934), p. 43 and notes.

hope of plunder held a place. Besides the pleas of Gage and Modyford, it was reported that there was a rich silver deposit in "Siara" in Central America, which the Protector could secure, if his "agreement with the Portuguese" permitted.¹⁸⁰

It is even possible that it was with some idea of relieving the financial stringency he had turned over to the Council on November 8 two papers submitted by Emanuel Martinez Dormido, the brother-in-law of the Amsterdam rabbi, Manasseh ben Israel, one in particular concerning the readmission of Jews into England, though the Council did not see fit to issue any orders concerning them at this time,¹⁸¹ and they, like the readmission problem in general, are obscure. But these were not all the circumstances in the case. In addition to this the Protector ordered the issue of a license for one John Copley to practice metallurgy, with a proviso that the government should receive half the profits;¹⁸² and it was apparently about this time that he entered into negotiations with Charles I's old metallurgist and mint-master, Thomas Bushell, who had played a considerable part in the financial operations of the old monarchy.¹⁸³ It was about this time, too, that the Quaker Pearson had a second interview with the Protector and obtained from him a warrant for the release of his co-religionist Thomas Aldam from York prison:

There was no way for his liberty, but to have a discharge under the broad seal. I had an order under the Protector's own hand, and it was not sufficient: he signed three orders with his own hand, and seemed very ready to do it: he stood all the while I was with him with his hat off, and it was much noised abroad, many being present, which made every one [concerned in the business] desirous to have me come before them, all the great men and judges, and I had such ready dispatch by them all as was wonderful. The fees would have come near to £20, but I could not [*i.e.* in conscience] pay any fees, which made it the more strange how ever it was done, only I gave something to the clerks for parchment and wax and some of their pains.¹⁸⁴

Thus at the very outset of the Protectorate it appears that the triple problem of his domestic administration — religion, finance and the armed forces — was to be the chief concern of his government, scarcely inferior even to the fundamental question of the basis of the authority which he and his followers exercised.

But besides these, the West Indian expedition and the problem of

¹⁸⁰ Thurloe, ii, 700–701 (letter, Jacob le Maire to his brother, Oct. 30/Nov. 9).

¹⁸¹ *Cal. S. P. Dom.* (1654), pp. 393, 407; text in *Jewish Hist. Soc. Trans.*, iii, 88–93; Lucien Wolf, *Manasseh ben Israel's Mission to Oliver Cromwell* (L. & N. Y., 1901), pp. xxxii–xxxiv.

¹⁸² *Rawl. MSS.*, A328, ff. 142–43.

¹⁸³ Bushell, Mr. Bushell's *Abridgement*, *passim*. See *supra*, pp. 281–2.

¹⁸⁴ Pearson to Marg. Fell, Nov. 28, 1654, quot. in Braithwaite, *Beginnings of Quakerism*, p. 436.

transplantation in Ireland, the Protector was, apparently, plagued even more than usual at this moment by a great variety of minor business with which he was more or less directly concerned and which the Council was forced to consider. It took up the matter of the payment for the expenses of the Protectoral household;¹⁸⁵ it considered the regulation of the forces to be drawn out for special services by the 20th of November.¹⁸⁶ On November 15th came the announcement of his appointments of sheriffs,¹⁸⁷ to which the committee of the House on that question added a report on the writ, incorporating a few alterations, chief among them one to the effect that sheriffs might be chosen as members of Parliament anywhere but could serve as knights of the shire only for their own counties.¹⁸⁸

In addition to these, the Protector interested himself in various other matters, chiefly connected with Ireland and the Royalists. On the 14th he wrote to the Lord Deputy and Council in Ireland in regard to the losses sustained by a Major Wallis and his colleagues¹⁸⁹ in their undertaking to send Irish soldiers to Spain:

To our Deputy of Ireland, and Our Counsel there

OLIVER P.

Right Trusty and right welbeloved We greet you well:

Taking notice of the public affection, and integrity which (as we are well persuaded) did together with the authority derived from the Commissioners of this Commonwealth in Ireland induce Major Peter Wallis, and the rest of his partners to enter into a contract with some of the King of Spain's officers for transporting some Irish into Spain for the said Kings service, and of their great damage through the non-performance of the capitulation on the King of Spain's part amounting to no less than £8013, 12s.¹⁹⁰ as hath been represented to us by their petition. And finding some addresses made on their behalf to the Spanish Ambassador to be hitherto fruitless, and doubting some further applications to Spain will be dilatory and uncertain. We have thought fit with advice of our Council to give order to the Committee for the Army to pay £475/1/8 (being a remainder of £10,000, designed for recruits intended for the service of Ireland) to the said Major Wallis, towards the contingent charges of the forces in Ireland to be by him accounted for and disposed as

¹⁸⁵ Warrants to Maidstone and Kinnersley (£104/10), *Cal. S. P. Dom.* (1654), pp. 396, 467.

¹⁸⁶ *Ibid.*, p. 397.

¹⁸⁷ Lists in *Merc. Pol.*, Nov. 16-23, and *Perf. Diurn.*, Nov. 17-18. Cp. also *Merc. Pol.*, Nov. 2-9, 9-16; *Perf. Diurn.*, Nov. 8; *Sev. Proc.*, Nov. 2-9.

¹⁸⁸ Burton, i, lxxi.

¹⁸⁹ They were, apparently, Col. Phayre and Capt. Deane. Their losses were found to be £2,933/4/1, and lands in Cork were assigned to them tentatively pending the Protector's confirmation on presentation of the matter by Capt. Deane. (Fleetwood to Thurloe, Aug. 1, 1655, Thurloe, iii, 690.)

¹⁹⁰ Dunlop (*Ireland under the Commonwealth*, ii, 457) queries this as a mistake for £813.

our Deputy of Ireland shall by his warrant direct. Which (though allowed towards their reimbursement as is by us intended) being so far short of their damage sustained, and observing not only themselves, but several others who acted under them in that service, involved in the prejudice (to whom they are unable at present to give satisfaction) We have judged it a work of justice and merited respect to recommend it to you (as we hereby do) to take their suffering condition into your serious thought, and to consult the finding out some way in Ireland for repairing of their losses (at least in some competent proportion) and to represent the same to us with your first conveniency, that a foundation being thereby offered for their satisfaction, and reimbursement We may improve the same on their behalf so far as we shall find to stand with justice and the public service. And so we bid you heartily farewell. Given at Whitehall, the 14th day of November 1654.¹⁴¹

Meanwhile there had occurred the death of the Protector's mother on November 16. Contrary to her expressed wish, her funeral was solemnized with great pomp and she was buried in Westminster Abbey on the following Sunday evening. She had given her benediction to her son before her death, and with her passing was broken the last thread which bound him to the old days of Huntingdon and Ely.¹⁴² It did not interrupt his conduct of business. On November 14 he signed an order for the despatch of troops from Ireland to Scotland;¹⁴³ on the 16th an order to Prideaux to prepare a bill containing his warrant to Gualter Frost for £12,000 for the charge of government;¹⁴⁴ and on the 17th two warrants to Frost for payment to the wives of his two emissaries, Pell and Dury.¹⁴⁵ On that same day, besides a second pass to Christopher Nelson of the Danish embassy, he signed two others of more than ordinary interest. One was for Sir Philip Musgrave, who had been proscribed for his share in the second civil war, taken part in the disastrous expedition of Charles II into England, made governor of the Isle of Man, which he had been compelled to surrender to Colonel Duckenfield, and had since been involved in conspiracies against the Protectorate. The other was for Sir John Henderson, sometime in Newcastle's army, who had offered his services to Cromwell during the Scottish campaign, and had apparently been acting as Cromwell's secret agent in Hamburg, Aix-la-Chapelle and Cologne.¹⁴⁶

¹⁴¹ Rawl. MSS. A261, ff. 26-26v.

¹⁴² Ludlow says that hundreds of torches were carried, though the funeral was in the daytime; but *Merc. Pol.*, Nov. 16-23, and *Perf. Diurn.*, Nov. 13-20, say it was in the evening. For her farewell benediction see Vaughan, *Cromwell*, i, 81 (Thurloe to Pell, Nov. 17, from *Lansdowne MSS.*, 751, f. 213). For Cromwell's connection with the Steward family see W. Rye in *Genealogist*, n. s. i (1884-5), 34. See also J. L. Chester, "Marriage, Baptismal and Burial Registers" in *Harl. Soc. Publ.*, vol. x. Epitaph by J. Long listed in Abbott, *Bibliog. of O. C.*, no. 673.

¹⁴³ Rawl. MSS., A328, ff. 144-5.

¹⁴⁴ *Ibid.*, ff. 145-6.

¹⁴⁵ *Ibid.*, f. 147.
¹⁴⁶ See vol. ii of this work, p. 344; Thurloe, ii, 467-8, *et passim*.

Pass to Sir Philip Musgrave

Having perused the pass from Colonel Duckenfeild, Governor of the Isle of Mann to Sir Phillip Musgrave with his two servants to come into England (and to transport himself within two months into France);¹⁴⁷ and having been acquainted with his petitions to the Council of State (then in being) immediately upon his repair hither, and afterwards to the Parliament for his Composition, and remaining here, and being informed from divers members of the House that they could not by reason of the important affairs of the State procure the presenting of the same to the House, and that since he hath given testimony of his desires to live peaceably and quietly under the present government, both by dealing with his eldest son to purchase all his estate, which is accordingly done, and by giving his parole unto ourselves¹⁴⁸ under his hand according to the order of the (then) Council of State to appear before the said Council upon their summons. We¹⁴⁹ do therefore hereby give license to the said Sir Phillip Musgrave to continue in England to follow his lawful occasions until order from the Parliament or the Council of State or us¹⁵⁰ to the contrary, and upon any such order he hath hereby license to transport himself with his said servants and necessaries into France notwithstanding any act committed by him, the said Sir Phillip Musgrave, before his said pass from Colonel Duckenfield, and he and they acting nothing prejudicial to the Commonwealth in the meane time till¹⁵¹ his Transportation, and all officers and soldiers under our¹⁵² command and all others whom this may concern are hereby required to take notice thereof and to suffer them quietly to pass accordingly. Given at Whitehall 15th November 1654.¹⁵³

O. P.¹⁵⁴

[Endorsed in another hand, "Copy of a pass
from the Lord Protector to Sir Phillip Musgrave."]

*To all Our Admirals and Commanders at Sea and to the Officers of
Our Ports, etc.*

OLIVER P.

These are to will and require you to permit and suffer Sir John Henderson with his servants and necessaries freely and quietly to pass from England beyond the seas without any your lets, hinderances, or molestations. Of which you are not to fail and for which this shall be your warrant.

Given at Whitehall the 17th of November 1654.¹⁵⁵

This series of events and documents was interrupted by another matter to which the Protector had already given some attention. On

¹⁴⁷ Words in parentheses added later in the same hand.

¹⁴⁸ Originally "the parole to myself?" but changed later by the same hand.

¹⁴⁹ Originally "I," changed to "we" by the same hand.

¹⁵⁰ Changed from "myself" to "us."

¹⁵¹ Originally "until his said Transportation."

¹⁵² Changed from "my" to "our."

¹⁵³ The words "Given under my hand and seal the 15th November 1653" have been crossed out, and the whole sentence was rewritten.

¹⁵⁴ From original draft in *Carte MSS.* 103, f. 193, in the Bodleian Library.

¹⁵⁵ Copy in *Rawlin. MSS.*, A 328, f. 146.

April 18, 1653, the town of Marlborough had been nearly destroyed by fire and on May 18, 1653, the Council had appealed to the country for aid and ordered a collection to be made for rebuilding the place, naming a committee of thirty, including Aldermen Andrews, Tichborne and Ireton, to receive subscriptions.¹⁵⁶ As usual, these did not meet the necessities of the case and the Protector now appealed to the army for help:

Circular Letter to the Army

LOVING FRIENDS,

Whereas it pleased the Lord to lay His afflicting hand upon the inhabitants of the town of Marlborough in the county of Wilts, on the 28th of April, 1653, by a sudden and terrible fire, which burnt and consumed (within the space of four hours) the church, market-house, and 250 dwelling-houses, besides divers barns, stables, and other out-houses, with most of their goods, to the loss of above £70,000, as hath been made appear by sufficient testimony, whereby many of the poor inhabitants were reduced to a low and miserable condition, even without hopes of a future subsistence, had not the Lord in mercy by His good hand of Providence enlarged the hearts of some good people to extend their charity towards the rebuilding the said town, and relieving of the necessities of the poor inhabitants thereof; and yet (as we are credibly informed by persons intrusted with the distribution of the monies collected for that purpose) the monies so collected do not amount to the sixth part of their said losses, so that many men's houses lie unbuilt, and divers who have begun building, are necessitated to give over in the midst thereof, being no way able to finish them, by reason of their yet extreme want: — We do therefore make it our earnest desire, that you, the officers and soldiers under our command in England and Scotland, would take the premises into your serious consideration, cheerfully to impart something to be deducted out of your next month's pay for the further relief of those poor distressed people, towards which our army in Ireland hath already unanimously manifested large bowels of compassion; which we hope will be a good example for you to follow. And the rather, for that the town was the first in the West of England that declared for and took up arms in the defence of that cause which the Lord hath so eminently appeared for, and hitherto carried on, by which means they then sustained exceeding great losses both by fire and plundering: of which we need say no more, but shall conclude with that saying "He that giveth to the Poor, lendeth to the Lord," and rest

Your loving friend,

OLIVER P.¹⁵⁷

Whitehall,
Nov. 20th, 1654.

All revolutionary governments are of necessity weak on the side of finance, and Cromwell's not the least. There was reason for anxiety.

¹⁵⁶ *S. P. Dom. Interreg.*, i, 69, pp. 100-105.

¹⁵⁷ Lomas-Carlyle, Suppl. 91, from *Clarke Papers*, ii, xxxvii.

The land forces on which his government depended for its very existence were reckoned at some 57,000 men. There were reported to be at least 100 vessels of war "abroad," of which 62 were in the Channel, and it seems probable that the fleets of Blake and Penn were not included in this number. The combined expenses of these armed forces were, in consequence, beyond anything that England had ever experienced.¹⁵⁸ The whole cost of government, including the army and navy, according to the Parliamentary diarist, was over £1,400,000 a year, and his estimate did not include a number of items, like ordnance and probably the cost of borrowed money, which raised the whole expense to some £2,200,000 annually or even more, according to Montagu's figures. Up to this time, it would seem, deficits had been met in large measure by receipts from confiscations, but these had now been almost exhausted and the ensuing deficits were reckoned at some £300,000 a year.¹⁵⁹ It is no wonder that Parliament was disturbed or that it proposed drastic reduction of the military establishment and of the assessments. "The court and soldiery party," says Goddard, proposed that the matter of supply be postponed until the committee named to meet the Protector had reported, but they were overborne and the House decided that an assessment of £60,000 a month be laid on the country for three months. In comparison with the £120,000 a month which had been levied until September, 1654, even in comparison with the £90,000 a month which had been assessed from September to December of that year, this seems moderate enough, and represents the effort of Parliament and the Protector to meet the wishes of the country for lower taxes. But it is evident from many sources that, apart from the usual objection to taxation at any time, men were feeling the pinch of government exactions, and now that peace had come they saw no reason for the continuance of such heavy burdens.

The appeal for aid to Marlborough was followed by the customary orders and warrants for payment of the various departments and officials of the government which demanded his signature in increasing numbers.¹⁶⁰ Parliament meanwhile ground away on its grist of legislation

¹⁵⁸ Burton, i, lxxvi-lxxviii and notes.

¹⁵⁹ W. A. Shaw, *Camb. Mod. Hist.*, iv (1906), 457-8. Cp. also M. P. Ashley, *Financial and Commercial Policy*, ch. iv.

¹⁶⁰ Nov. 22 to Prideaux for a warrant to the Commissioners of the Treasury to pay Sir Wm. Roberts, Henry Pits, John Parker, Robt. Aldworth, Josias Berners and Francis Massenden, commissioners for removing obstructions, £500 for two years' services (*Rawl. MSS.*, A328, f. 150). Nov. 22 to Prideaux for warrant to the Treasury Commissioners for £200 to Edward Birkhead, Serjeant-at-Arms, for services and materials for Parliament (*ibid.*, f. 152). Nov. 23 to land and sea officers for passage of the Dutch ambassador, Beverning (*ibid.*, ff. 151-3). To Gualter Frost to pay to Henry Lawrence, Lord President of the Council, £300 for one quarter's salary (*ibid.*, f. 151).

and its amendments to the *Instrument*. On Wednesday, November 22, the bill for the ejection of scandalous ministers was read for the second time and referred back to the committee to consider amendments. On that afternoon it was resolved that no private business be considered for a month, possibly to avoid the mass of petitions in regard to delinquents' estates, and a committee was appointed to consider how best to organize public accounts and to examine and check bills of public faith as to their authenticity.¹⁶¹ From this the House went back to Article 6 of the *Instrument*, which provided that laws should not be made, altered or repealed, or taxes levied, without consent of Parliament. This was accepted with the proviso that this was not to invalidate any legislation made by Cromwell and the Council before the meeting of this Parliament, in respect to the armed forces or necessary changes in the government, and the main article, enlarged and passed as a separate vote on the next day, was passed without further amendment.¹⁶² Such a measure was characteristic of this body and of the position of the Protector, and the situation was emphasized by the next item of business, which was the report of Colonel Birch from the committee on the vexed question of reducing the armed forces. That committee had conferred twice with the Protector but had not found him favorable to its suggestions. As to some of the garrisons it was proposed to reduce, "he gave no answer at all" in the conference held on November 23. Concerning the others he was reported to have said:

Cromwell's conference with the Committee of Parliament concerning reducing the forces by land and sea.

1. As to Warwick Castle, it did not signify much, nor was it very considerable, and therefore he conceived, it might be of no great use to be continued.
2. For Chester, it was a place of strength, and had cost a great deal of blood. And, although the Committee of Parliament had resolved to make it untenable, yet some members of Parliament had been with him, and had desired to be heard in it. They had also proposed that Liverpool might rather be dismantled, and the forces translated from thence to Chester, and, therefore, that might be thought fit for further consideration.
3. For Shrewsbury, which indeed was not positively resolved upon by the Committee, he was of opinion that it was a place of strength: that if any enemy should get into it, and possess it, all the forces of England and Scotland could not be able to force them out: that it might be kept with small charge, and therefore this also was fit for further consideration.
4. For Bristol Castle, it was a place of no great strength yet it was convenient for a citadel, and might be made use of to that purpose. For Bristol Fort, it was very regular, and might be kept with a small number. That it was the practice of all nations and he mentioned that of France, that in all populous cities, there used to be citadels, and therefore, he thought this also might deserve farther consideration.

¹⁶¹ Burton, i, lxxxix; *C. J.*, vii, 387-88.

¹⁶² Burton, i, xc-xci; *C. J.*, vii, 388; Whitelocke, p. 608; *Sev. Proc.*, Nov. 29.

5. For Chepstow, because it was his own house, he would not have a garrison there at the Commonwealth's charge.

6. As to Hereford, it lay near unto, if not in the very centre of, North and South Wales, those mountainous countries, which he feared had not forgot their mountainous qualities, and for religion and other things not so well qualified, as would be desired. The countries and people there, were not so well affected as he could wish, and therefore this also was fit for further consideration.

These are all the garrisons he spake unto, the rest voted by the Committee he never so much as mentioned.

As to the field forces, he said he was willing to disband so many of them as could be disbanded with the public safety; and he conceived it was both his and our meaning, to prefer safety before any manner of charge.

As to Ireland, he said, he had received a packet lately from the Commander-in-Chief there, of the affairs in relation to that nation; but he had not yet perused it. When he had, the Parliament should receive an account of it.

As to Scotland, he said he did not know of any one man, meaning company, of horse or foot, that would be disbanded there. He had received intelligence from the Commander-in-Chief there, and from the officers in the several parts of it. In general, the country was wholly very much disaffected to the present government. The Presbyterian and Cavalier interest were so complicated, as he did not see how any forces there could be lessened with any safety until these two interests could be satisfied, and which way to do that he did not find, they being constantly blown up by the enemies beyond the seas, and the distempers there, were so great, as the Commanders there did call for more forces, so far it was from abating any; and some gentlemen of that nation, who sate amongst us, knew these things to be true, and could present them to us.

As to the forces in England, the numbers were but few, the condition of the people such, as the major part a great deal are persons disaffected and engaged against us.

Notwithstanding all this, he would not say there could be no lessening, and therefore he would be willing to entertain a conference to that purpose, and to do therein whatsoever might stand with the public interest and safety.¹⁶³

To this he added on the next day another protest to the Archduke Leopold, governor of the Spanish Netherlands:

To the most Serene Prince Leopold William, Archduke of Austria. Duke of Burgundy &c. Governor and Captain-General of the Low Countries and Burgundy. Greeting.

Most Serene Prince,

Representation has been made to us by a petition of William Yeamans and John Bowen, Merchants of this Commonwealth, of the city of Bristol, that they, owners and proprietors of a ship named "The Peter," Richard Jeffreys, master, in the port of Bristol last July, loaded on the said ship commodities and merchandise, to be carried to San Sebastian in Spain. But the said ship, on its voyage to the aforesaid San Sebastian, on the 25th of last August, was over-

¹⁶³. Burton, i, xcii-xciii; Lomas-Carlyle, Suppl. 92. Cp. also *Sev. Proc.*, Nov. 23; *Perf. Diurn.*, Nov. 28, Dec. 4-11; *C. J.*, vii, 388; Whitelocke, p. 609.

come and seized by a Privateer that professed to hail from the town of Brest in France, and alleged that she held a Commission from Charles Stuart, son of the late King of England. The Master of the Merchant Ship, however, not without cause fearing that, if he should be taken into the town of Brest, both his ship and his goods would doubtless be held as a prize; and, being subtly instigated and invited by the master of the Privateer, with the hope of release on condition of the payment of a fixed sum of money if he would aver in his own hand-writing that he had been holding his course for France; the English master, unsuspecting of any deception, not unwillingly consented to redeem his ship and goods for a fixed sum rather than to lose them completely. Wherefore, falling in with the Conditions imposed upon him, he made affidavit under the signature of his own hand, that he had been holding his course for France. After this had been done, the said Privateer, throwing off the mask that she had put on previously, openly declared that she was from Ostend, and took the said Merchant ship with her cargo along with her to that port. And since the English master, brought to this act by a reasonable fear, had made affirmation over his signature that he had been holding his course for France, argument was made, on these grounds, in the Admiralty at Dunkirk that the ship was obviously fitted out for the passage back and forth to France, and that the goods should be confiscated. But the fact is, that the ship and goods do of right belong to the aforesaid petitioners and she was on the way to San Sebastian, as has been previously stated; and this is clearly manifest, not only from the unanimous agreement of the Chief Officer and the Board of Inspectors at Dunkirk, but also from the Bills of Lading, which it has been established by oath taken at Bristol are accurate and authentic, and also from the sworn testimony before the Mayor of Bristol of many other individuals, and all our other Officials in that port. Since these things are so, influenced by the wholly just complaints of the petitioners, we could not refuse to intercede by letters on their behalf with your Highness, and we have most strongly requested of your Highness that the whole case be reviewed from the point of view of what is just and good, with full consideration how unfair it is that misrepresentation and deception should prevail against that which is certain and true, and how easy it is for those threatening force and inspiring terror to extort false confessions from timid and unsuspecting men; and how often Merchants are forced, when the Seas are infested with Piracy, in order to preserve themselves and their possessions, to submit to unfair conditions; and how much a matter of general advantage it is that traders in undertaking their commercial activities be protected against the attacks of Privateers. After weighing all these considerations kindly, I say, we ask that you may deign to succor this most just cause of the aforesaid petitioners, and that that which was taken away by evil machinations may be restored in good faith, and without injurious delay. In all else may God, Gracious and Almighty, long preserve your Highness in security.

Given from our Court at Westminster the 24th of November O. S. in the year 1654.

Your good Friend,
OLIVER P.¹⁶⁴

¹⁶⁴ Trans. of copy in Rawl. MSS., A261, ff. 26v-27v. See *ibid.*, ff. 27v-28 for

While the Protector was thus engaged in foreign enterprises, the Parliament plodded along on the revision of the *Instrument*. On Friday, November 24, it considered the form of oaths to be taken by the Protector and the Council¹⁶⁵ and then turned to the problem of future Parliaments. It was decided that the next Parliament should be summoned to meet on the third Monday of October, 1656, and thereafter at intervals of three years; that no Parliament should sit for more than six months without the Protector's approval; that none should be adjourned, prorogued or dissolved without its own consent; that writs should be sent out by the proper authorities; and in case of neglect of the Protector to attend to this, the Chancellor, Keeper, or Commissioners of the Great Seal were authorized to "seal, issue and send abroad" the writs, which were in slightly different form from those issued previously. But even that discussion did not end without raising the perennial question of the right of those elected to alter the form of the government, to which, as usual, no answer was found.¹⁶⁶

From that the House turned to suspend the Protector's ordinance concerning the Chancery, and thence to discuss Article 12 of the *Instrument*, concerning the form of election — and the eternal question of the right to change the form of government — again without result. Article 13, which imposed penalties on sheriffs or others making false returns, was passed;¹⁶⁷ and with this the House proceeded on the following Monday, November 27, to discuss the qualifications of electors and elected, deciding that they should not only be "persons of known integrity, fearing God and of good conversation," twenty-one years old, but should not be in holy orders or atheists, Papists or married to Papists, habitual drunkards, swearers, drinkers of healths, or given to a variety of other sins and crimes.¹⁶⁸ County franchise was voted, 96 to 53, to forty-shilling freeholders and by 65 to 44 to owners of property worth £200, provided that they should not vote for knights of the shire unless they were also forty-shilling freeholders.¹⁶⁹ The responsibility for sending out summonses to Parliament had been laid on the Chancellor, Keeper, or Commissioners of the Great Seal in case of the failure of the Protector to perform that duty; and it was now voted that if these rep-

another letter to Leopold identical with that of July 18, 1654, except for address. Cp. *supra*. Latin in App. II (25), *infra*.

¹⁶⁵ *Parl. Hist.*, xx, 381; *C. J.*, vii, 388; *Sev. Proc.*, Nov. 23; Gardiner, *Comm. and Prot.*, iii, 219; *Perf. Diurn.*, Nov. 24.

¹⁶⁶ Burton, i, xciii–xcvi; *C. J.*, vii, 389.

¹⁶⁷ Burton, i, xcvi, says £200 for both sheriffs and mayors; *C. J.*, vii, 390, says £200 for sheriffs, £100 for mayors and other officers; in any case, one-half to go to the Protector.

¹⁶⁸ Burton, i, xcvi–xcvii; *Parl. Hist.*, xx, 385–7; *C. J.*, vii, 390–1.

¹⁶⁹ Burton, i, xcvi–ci; *C. J.*, vii, 391–2.

representatives of the "supreme authority" continued to neglect this task, their negligence should be regarded as high treason.¹⁷⁰ Thus with these provisions, in addition to the penalties already voted for false returns or conscious neglect on the part of the election officers, Parliament laid down its concept of the legislative system for the new order which it was seeking to establish.

While it planned that order, the Protector was chiefly concerned with the drudgery of his office. His presence at the Council meeting on November 28 revealed no business of special importance. He considered and referred to the Council the question of the right of Sir John Price to sit for Montgomeryshire;¹⁷¹ he approved an order for the release of one James Sheldon, arrested on May 24 for treasonable correspondence;¹⁷² and assented to a Council order for the trial of James Potter who had been sequestered from Binfield rectory in Berkshire.¹⁷³ He ordered a report on the case of James Carey, prisoner in Exeter, a converted Papist, but the judge to whom it was referred reported that Carey's offence was treasonable by an Act of 27 Elizabeth, and that the "oath of supremacy therein named is taken away and nothing put in its place"¹⁷⁴ — thus leaving another thorny problem for the revolutionary government to solve. The constant and annoying requests of John Embree for small sums for the Protector's household brought a Council suggestion that warrants against the Council's contingent fund for £5,000 be issued to meet these payments.¹⁷⁵ Besides these, the Protector signed an order for the admission of thirty tuns of wine, duty free, for the use of the Spanish ambassador;¹⁷⁶ various warrants;¹⁷⁷ and requested others for current or extraordinary expenses and orders to pay various officials;¹⁷⁸ with a particular warrant for the preservation of the Forest of Dean, which, like much royal property, had been subject to depredations:

To Our Trusty and Welbeloved Thomas Hodges, John Stephens, Christopher Guise, Silvanus Wood, William Cooke, William Webley, John Wade Esquires, Justices of the Peace in Our County of Gloucester, and Richard Machin, Gent. or any three or more of them

OLIVER P.

Trusty and welbeloved we greet you well:

For as much as we are given to understand that there hath been very great wastes and spoils committed upon the Forest of Deane, to the prejudice of the

¹⁷⁰ *Ibid.*, p. 393.

¹⁷¹ *Cal. S. P. Dom.* (1654), p. 399.

¹⁷² *Ibid.*, pp. 286, 389; *Thurloe*, ii, 315.

¹⁷³ *Cal. S. P. Dom.* (1654), p. 399.

¹⁷⁴ *Rawl. MSS.*, A328, f. 154.

¹⁷⁵ *Ibid.*, p. 400.

¹⁷⁶ *Ibid.*

¹⁷⁷ To Frost to pay Lawrence or his representative £300 for one quarter, ending Nov. 9 (*ibid.*, f. 151); to John Walsam, sheriff of Radnor county, to deliver his office to Samuel Powell (*Arch. Cambrensis*, ser. 3, xii, 155).

¹⁷⁸ *Cp. n.* 160, *supra*.

Commonwealth, and that no provision hath of late years been made for the preservation and growth of the timber, and trees within the said Forest, the due care whereof hath been ever esteemed of special concernment to the public interest of this nation. Now for preventing the like spoils and inconvenience for the future, and that there may be a timely provision made for the growth, and preservation of the woods, and timber for the public use and service of the Commonwealth, we have thought fit to authorize, and empower, and accordingly do hereby authorize and empower you, or any three, or more of you to put in operation the laws in force made for encosing the common woods within the said Forest, and to make such procedure therein as that the present season may be improved for the taking in of so much of the said Forest for the uses aforementioned as the laws in that behalf do allow; and permit, and as may be most for the behoofe and benefit, of the public service. And so we bid you heartily farewell. From Whitehall the 29th of November 1654.¹⁷⁹

Among the details of administration,¹⁸⁰ the activities of Parliament, and correspondence with foreign powers, one matter was of more than immediate interest. This was the preparation of the fleet for the West Indian expedition, the so-called "Western Design," which had been going on for some time and was now nearing completion. Penn had been appointed general and commander-in-chief of the naval forces and Venables had been selected to lead the troops in this new venture. Desborough, who had been ordered to inspect the preparations made at Portsmouth, now made two reports, the first on November 27, asking for further instructions as to the procedure to be followed on the arrival of the expedition at Barbados, the other on December 2, listing the ships which were ready to go and expressing the hope that the rest might sail during the next week;¹⁸¹ and in this connection the Protector wrote to Penn to recommend two of his kinsmen to the Admiral's care:

*To the Right Honourable General Penn at Portsmouth: These. Haste,
post haste*

GENERAL PENN,

I heard this day of the delivery of the *Essex* frigate, for which I bless God, and I am very glad to hear of the forwardness of your business. I hope after all these difficulties which we have passed through, the Lord will give you

¹⁷⁹ Copy in *Rawl. MSS.*, A261, f. 29.

¹⁸⁰ On Nov. 28 the Council reported the Protector's approval of five orders and ordinances of Nov. 15-24 (*Cal. S. P. Dom.* (1654), p. 401). The same day a petition of Capt. Roger or Richard Bamford brought advice on Dec. 2 that the Protector issue a warrant for his salary (*ibid.*, pp. 401, 404-5). Three other warrants (Nov. 6-16), one from Frost to Maidstone for £12,000 for the Protectoral household expenses, were signed on Nov. 28 (*ibid.*, pp. 402, 458), and a payment of £123/10 from the Council's contingent fund for two of the serjeant's deputies was approved (*ibid.*, p. 402). A pass was granted to Col. Anthony Weldon, their prisoner, to go abroad (*ibid.*, p. 403); and ten more orders and ordinances (Sept. 2-Nov. 30) were approved on Dec. 2 (*ibid.*, p. 404).

¹⁸¹ Thurloe, ii, 740; *ibid.*, iii, 3.

happy gales and prosperous success to the great enterprise you have in hand; indeed you shall not want my prayers. I sent for Mr. Greenhill and two of his members, who professed they will follow you with their prayers also, and did verily believe the same for the rest of his church. Your instruction will be suddenly with you, I trust.

I have committed my nephew Whitstone to you, and I desire you to mind him of good things and to do him good as you find he deserves.

I must commend also to you young Smythsby, who hath been of my life-guard. I believe him very stout, and one that takes great affection to the sea, and has been very much there of late. I pray you own him for my sake. He is my kinsman, and if you have any employment that way, or which may fall, commend him to it, as you shall judge him fit, and after you have seen his behaviour. Let me assure you, I shall be as mindful of your business which you have left in trust with me as you can desire. The Lord be with you. I rest,

Your very loving friend,

OLIVER P.¹⁸²

Whitehall,

November 27, 1654

For the Right Honourable General Penn: These

GENERAL PENN,

I do hereby commend to you my kinsman, Mr. George Smythsby, desiring that he may be assured that he shall have some place that shall fall within the fleet under your command. And in the meanwhile that you take care that he have an entertainment becoming a gentleman, and one related to me; and I do the rather engage him in this present expedition, because his affections and his abilities, of which good testimony hath been given to me, do incline him chiefly to sea service. I would he should have encouragement to all worthy undertakings, and that for my sake you so observe his demeanours, that his virtue and religious inclinations may revive my letters to you on his behalf, and if at any time he shall remind you of this engagement of mine, I nor he may be forgotten by you. I rest,

Your loving friend,

OLIVER P.¹⁸³

Whitehall,

December the 1st, 1654.

With Blake well on his way to the fulfilment of his mission and Penn and Venables nearing the completion of their preparations, Cromwell was at last ready to grant his long-promised audience to Bordeaux to discuss the treaty with France. It had been slow in the making. In the preceding July Bordeaux's instructions had noted that if the Protector

¹⁸² Lomas-Carlyle, Suppl. 94; also in *Hist. MSS. Comm. Repts., Portland MSS.*, ii, 88, from original at Welbeck Abbey. Handwriting is Thurloe's, with signature by Cromwell; seal of arms. See also *Memorials of Penn*, ii, 19.

¹⁸³ Lomas-Carlyle, Suppl. 95; as in note above. Smythsby's relation to Cromwell has not been traced. Whitstone was the son of Cromwell's sister Catherine, whose first husband was Roger Whitstone of Whittlesea, Cambs.

seriously wished an alliance with France against Spain, the matter could be settled in twenty-four hours;¹⁸⁴ but that had not been Cromwell's policy. He had desired rather to keep both France and Spain on the anxious-seat and he had deliberately put off any definite settlement, partly, perhaps, because he had not made up his mind, partly, perhaps, on account of the situation in the British Isles, the rising opposition to his rule, the difficulties with Parliament and the settlement of the Irish question. It was not, then, until these showed signs of being satisfactorily adjusted that he turned to make terms with France, and even then with various reservations. His interview with Bordeaux had been set for November 18¹⁸⁵ but was apparently put off until the 28th and the French envoy's father had written that Bordeaux had been blamed in France for not having concluded the matter and should stress the endeavors made there to send Charles II out of the country.¹⁸⁶

Three points remained in question. The first was one of etiquette. Cromwell had earlier addressed Louis XIV merely as "Rex Gallorum," and had himself demanded precedence due to royalty, in which case, Mazarin observed acidly, he should take the title of king and be done with it.¹⁸⁷ The second was whether or not Hamburg should be named as chief arbitrator in the matter of the claims and counter-claims arising from the seizure of French and English merchant vessels in the long privateering activities of the preceding years. For this, apparently, the French government was not overly anxious, though intelligence from Paris suggested that Mazarin himself was not displeased with the prospect, as he felt that his country might fare better, and that, notwithstanding the treaty provisions, it might not be required to banish all of those whose expulsion was demanded by the Protector. It was, in fact, suggested that Cromwell be informed of this and so secure an "honest" peace.¹⁸⁸ The third problem was the private or secret article which was concerned with the lists of those destined to expulsion — the English Royalists in France, headed by the King and his brothers, and the adherents of Condé and the Huguenot rebels in England — neither of which lists had been finally determined.¹⁸⁹

On the whole this important audience was not notably successful for the French ambassador. He began by complaining of the failure to meet the French advances, of the delays and procrastination of the English government, and its apparent disinclination to make peace.¹⁹⁰ He was,

¹⁸⁴ Jusserand, *Recueil des Instructions*, "Angleterre," i, 193.

¹⁸⁵ Bordeaux to Brienne, Nov. 17/27, Thurloe, ii, 729.

¹⁸⁶ *Ibid.*, ii, 738.

¹⁸⁷ Jusserand, *Recueil des Instructions*, "Angleterre," i, 205n.

¹⁸⁸ Thurloe, ii, 640.

¹⁸⁹ *Ibid.*, p. 729 (Bordeaux to Brienne, Nov. 17/27).

¹⁹⁰ He complained further to Brienne that Cromwell had refused to allow Scots to enter French service while permitting them to enter that of Spain (*ibid.*).

he protested, willing to accept the English proposals in spite of this, but with certain reservations. These were that the powers of the arbitrators be limited; that deputations from the disaffected in France be not admitted to England; and that the King of France be given precedence in the negotiation. To this the Protector replied, according to Bordeaux's report of the interview, in a strain not wholly ingenuous, in view of his previous negotiations with the French Huguenots, with which both he and the ambassador were tolerably familiar:

The lord protector began his answer by some general protestations of his inclination to accommodation; they were seconded by some bad reasons, which had caused so many delays and coming to the particular of the difficulties, which remain. He did declare upon the title, that his particular consideration should be no obstacle, provided the nation might preserve their dignity. And as to the limitation of the power of the arbitrators; he did refer it to a more ample examination by my commissioners. But he did very much enlarge himself upon the reciprocal clause of the secret article, to prove, that it was not just in general terms, in regard his majesty did only agree to the banishing of some particular persons already named. He afterwards entered into considerations, that the protestants of France would be excluded, from imploring the assistance of England, if they were prosecuted; protesting however, that he was very far from having any thought to draw them from the obedience they are now under, as had been imputed unto him: that he would arm against them, if they should offer frivolously and without a cause to disturb the peace of France.

The end of his discourse was, that I had ended mine very fiercely; and that England would always be in a condition to defend itself against it's enemies.¹⁹¹

In reply, Bordeaux protested that, though they spoke of accommodation, the situation of the Huguenots in France provided the Protector with a pretext for war; that it was contrary to international usage to meddle in the domestic affairs of other states, as in the case of the French refusal to intervene in behalf of English Catholics; and that the Protector's position would open the door to deputations from all the rebels in France. In this Cromwell seemed to acquiesce, but said these matters could be arranged by commissioners whom he would send the next day. They did not, however, appear at the appointed time, nor had they come by December 14. They explained that they had not yet received his Highness' instructions but were certain that he would adhere to his first answer, and on this unsatisfactory note the incident was closed.¹⁹² From this interchange several things seemed apparent. The French ambassador, as an experienced and astute diplomat, assessed at their true value the assertions of the Protector in regard to his connection with the rebel-

¹⁹¹ Bordeaux to Brienne, Dec. 4/14, *ibid.*, iii, 6. Bordeaux speaks of it as "the audience, which the lord protector gave me the third of this month" (*ibid.*, p. 5).

¹⁹² Bordeaux to Brienne, Dec. 4/14, *ibid.*, p. 6; cp. also Vaughan, *Cromwell*, i, 86; Whitelocke, p. 608; *Sev. Proc.*, and *Perf. Diurn.*, Nov. 28.

lious Huguenots. Like his master, Louis XIV, he feared to press the points at issue too closely in view of Blake's expedition, which might still be used to help the disaffected elements in France. Like Louis XIV, Bordeaux still hoped, and not without reason, for English aid in the Franco-Spanish war. He hesitated to risk a breach with the Protector, whose authority, he observed, seemed "à couvert de tout danger," and thought it best to accept the situation and overlook the implied threats and the apparently studied neglect of the English ruler.¹⁹³

His opinion of Cromwell's position seemed justified. Despite the attacks on him by the various disaffected elements in his own party, despite the efforts of the Parliament to undermine his authority, despite the Royalist conspiracy then taking form, despite the nervousness which the Cromwellians, and even Cromwell himself, revealed from time to time, the Protector appeared secure. The Parliament had, indeed, not merely challenged the army and its commander by its proposals for reduction of the armed forces; it had also challenged the validity of the *Instrument of Government* as the final constitutional authority. It had set itself up as a constituent assembly and it had spent, and obviously proposed to spend, a considerable part of its time in a thorough revision of that *Instrument* and produce, in effect, a Parliamentary constitution which differed from the *Instrument* in a small infinity of details all tending to the enlargement of the powers of Parliament and thus directly or by implication the reduction of those of the Protector. The *Instrument*, it has been said, had endeavored to "steer a middle course between the despotism of a 'single person' and the despotism of a 'single House.'"¹⁹⁴ The fact that the Protector owed his office in large part, if not entirely, to the circumstance that he was the head of the army, that there was neither legal nor constitutional precedent or authority for the power he exercised, that he had no popular mandate and dared not appeal to the country for support without first disfranchising the greater part of the electorate and then exercising the closest supervision over the remainder, made his constitutional position difficult if not impossible. The challenge thrown down first by Parliament, then by Cony, then raised in other quarters, could be met in only one way — the question of the basis of Protectoral authority was not allowed to come before the courts during the Protectorate, hard as its opponents tried to bring it up.

Yet if it had no basis in law, it had a firm foundation in fact. Of those who had most recently challenged it, Saunders had submitted and had been restored to his command; Okey had been granted his life after his court-martial, but relieved of his post in the army; Alured had been

¹⁹³ Thurloe, iii, 5-7 (Bordeaux to Brienne, Dec. 4/14 — a detailed account of the interview and later developments). Cp. Johan de Witt, *Brieven* (Hague, 1723-5), iii, 5-6 (despatch of the Dutch ambassadors).

¹⁹⁴ Gardiner, *Comm. and Prot.*, iii, Introd., p. lix.

imprisoned. Ludlow, who had ceased to be civil commissioner in Ireland, retained his military rank, but was forbidden to come to England. Wildman was kept under close supervision and presently arrested. Overton was seized; and lesser men treated accordingly, so that, in so far as possible, disaffection in the army was stamped out or rendered impotent. Discipline was enforced, and at this moment the actual basis on which Cromwell's authority rested was emphasized in a striking fashion. The Council of Officers, which still functioned in some fashion, held a meeting at St. James's and on November 29 voted to live and die with his Highness and the present government, that is to say the *Instrument*, or, as Thurloe wrote: "they will live and die with him, both as their general in military matters, and as their protector in civil; and this they have done unanimously, so that whatever uncertainty and wavering there may be in the minds and counsels of other men, the army is fixed and of a-piece."¹⁹⁵

This was of the more importance in that various policies outside of England itself were now coming to a head, notably in the Mediterranean and Ireland, so that now, reinforced and reassured by the action of the officers, the Protector was not only prepared to face the disapproval of Parliament and Royalist plots but to consider matters far outside the field of politics in Great Britain. Blake was now approaching the principal scene of his mission and reports of his progress were filtering back to England, with echoes of the repercussion of his presence on continental powers. He was none too soon. From Constantinople Richard Lawrence wrote on November 29 that the Dutch there had appointed a poor bookbuyer to be their resident, so that they would not have to accept English protection,¹⁹⁶ though the English envoy, Sir Thomas Bendish, had news that Major Richard Salwey had been commissioned to supersede him.¹⁹⁷ Unlike many such rumors, that, as it happened, was true, and Salwey's appointment, with the Blake expedition, indicated the increasing interest of the Protector in the Mediterranean expedition.

More nearly related to its fortunes, however, was the issue of Fleetwood's sweeping order for transplantation on November 30, which, despite the dispensing powers conferred on him by his instructions of August 17, decreed that this great movement of population must be completed by the first of the following March.¹⁹⁸ This drastic solution of the Irish question was perhaps the most important event of this event-

¹⁹⁵ *Clarke Papers*, iii, 10-11, 15; Thurloe to Pell, Dec. 1, Vaughan, *Cromwell*, i, 87-8; Gardiner, *Comm. and Prot.*, iii, 217-8. For earlier meetings see Vaughan, *Cromwell*, i, 80 (Thurloe to Pell, Nov. 17) and *ibid.*, p. 85 (same to same, Nov. 24).

¹⁹⁶ See p. 500 above.

¹⁹⁷ Thurloe, ii, 742.

¹⁹⁸ Order by Lord Deputy and Council, Feb. 27, B. M. 806, i, 14, no. 12, listed in Crawford, ii, 65, extended on Feb. 27 to May 20 (*ibid.*, p. 67).

ful period, and had an influence far outside the bounds of Irish and even English politics of the time. Curiously enough, it appears that the use of Irish troops in the persecution of the Waldenses in Piedmont and in the Spanish armies in Nîmes strongly affected the sentiments of those committed to the policy of transplanting the Irish into Connaught and replacing them with Protestants from England and Scotland. Nor is it without interest to note that at this moment Cromwell addressed to the Spanish king another protest in regard to the treatment of English merchants, which, among other things, helped to build up the case then being made against the Spaniards in their various relations to England and to Protestantism generally:

To the most Serene and Potent Prince, Philip the Fourth, King of the Spanish Dominions &c. Greeting.

Most Serene and Potent Prince,

Edward Ranger and other English Merchants, organized in a company, have reported to us in a petition that they, more than six years since, when they were Owners and Proprietors of a Ship named "The Peter and John of Dover" the master of which was John Eaton, sent the said ship from the port of London to carry on commerce in foreign Parts. This ship, sailing from Leghorn and Genoa, and heading its course to Lisbon, laden with a large and rich cargo of merchandise belonging to the said petitioners, the value of which came to sixty thousand pounds of English money, in its voyage to the said port of Lisbon, was overtaken and seized by some ships of your Majesty. After its seizure immediately the said petitioners entered suit at Madrid in Spain, to recover the ship and property. When after five (years) litigation went on in Court concerning this case for restoring the Ship and aforesaid property or for remuneration at a fair price; but since up to this time justice has been denied to the said petitioners or else delayed and not yet has satisfaction been made to them in accordance with the aforesaid claim, they have entreated us very earnestly to intercede with your Majesty in their cause by our letters of recommendation. This indeed, after weighing the merits of the case, and being quite persuaded of the distinguished kindness of your Majesty, we have done, by no means unwillingly. Wherefore we strenuously urge your Majesty that, after fair consideration of this cause has taken place, by the authority of your special mandate, without further delay, according to the judgment brought forward by your Council, satisfaction be made to the said petitioners and the losses incurred be repaid. By this evidence of ready good-will you will hold us bound to similar offices of gratitude and friendship on any occasion of requital. And in the meantime we heartily wish your Majesty prosperous security and the increase of real felicity.

Given from our Court at Westminster the 30th of November O.S. in the year 1654

Your good Friend,
OLIVER P.¹⁹⁹

¹⁹⁹ Trans. of copy in Rawl. MSS. A261, ff. 29v-30, pr. *infra*, App. II (26).

Apart from this, there were the usual incidents of administration to be attended to, and for these he signed a series of documents of very different character and content — the customary permission to import wine duty free by the Spanish ambassador; ²⁰⁰ the “spoiling” of the Forest of Dean by various enterprising citizens; ²⁰¹ and especially the release of certain prisoners connected with the recent plot, and the order to search for “several scandalous and seditious pamphlets” distributed in London:

*To Our trusty and well beloved John Barkstead, Esq., Lieutenant
of Our Tower of London*

OLIVER P.

Our will and pleasure is that you forthwith discharge and set at liberty the bodies of Theodore Naudin,²⁰² John Jenkins, Roger Lee,²⁰³ Thomas Smith and Dutton²⁰⁴ now prisoners under your charge in Our Tower of London, you taking good and sufficient security that the said several persons and every of them respectively shall appear before Our Council at Whitehall within six months after summons in that behalf, and that they or any of them shall not act anything against, or prejudicial to Us, or the Commonwealth, and for so doing this shall be your warrant.

Given at Whitehall the first day of December 1654.²⁰⁵

*To Edward Dendy, Esq. Serjeant at Arms, or his
Deputy or Deputies*

OLIVER P.

Whereas several scandalous and seditious pamphlets are from time to time published to the great dishonour of this nation, and the disturbance of the peace thereof, And We being informed that certain pamphlets of that nature have been, and now are about to be printed by several persons within the City of London, and the liberties thereof, These are therefore to will and require you forthwith to repair to the dwelling, or work houses of all such printers within the said City and liberties as you shall suspect to have lately printed or to be upon the printing of such pamphlets as aforesaid, and them, and every of them forthwith to apprehend and bring in safe custody before Our Council at Whitehall. And you are to seize upon and bring away the several presses and all such the said pamphlets and other papers whatsoever that are any way prejudicial to Us or the State, and in order thereunto You are hereby authorized to break open any locks or bolts whatsoever. And all officers both civil and

²⁰⁰ Rawl. MSS., A328, f. 154.

²⁰¹ Ibid., A261, f. 29.

²⁰² Theodore Naudin, M.D., imprisoned May 23, 1654 (*Cal. S. P. Dom.* (1654), p. 289).

²⁰³ Roger Lee, committed to the Tower Feb. 17, 1653-4, on suspicion of treason (*ibid.*, p. 273); recommended to be banished on security not to return without leave, Sept. 1, 1654 (*ibid.*, p. 353).

²⁰⁴ Richard Dutton, committed with Lee and recommended for banishment (note as above).

²⁰⁵ Copy in *Rawl. MSS.*, A328, f. 155.

military are hereby required to be aiding and assisting to you in the execution of the premisses. And for so doing this shall be your warrant.

Given at Whitehall the 29th of November, 1654.²⁰⁶

By the end of November, 1654, the Protectorate at last seemed on the way to something like a permanent footing. With all the minor changes which Parliament had made in the *Instrument of Government*, with all of its efforts to limit the Protectoral authority, it had not greatly diminished that authority, beyond confining it to his own lifetime and assuring the position of Parliament in the "new order" then being established in the British Isles. Its position and that of the Council had been defined by themselves and in relation to the Protectoral system. As many minor incidents testified, however, there were still unsettled problems, the chief of which, perhaps, was that of the church. In a sense, the Protector had replaced the King as the head of such ecclesiastical system as remained, as his presentment to livings testified. But as the judge's opinion in the Carey case indicated, there was no longer an oath of supremacy, as there was no longer an Establishment. It remained, therefore, to find some new system — or arrangement — which managed to combine the various warring religious sects into a more or less coherent whole, with mutual toleration, and the answer to that problem remained to be found.

On the other hand, two issues seemed to be nearing some sort of a solution. The first was that of Ireland, where the transplanting of the Irish to Connaught had already begun, though thus far with indifferent success. The other was that of foreign affairs. There a beginning had been made by treaties with the Netherlands, Portugal, Sweden and Denmark, and by preparations for a new venture in aggression, as expressed in the fleets of Blake and Penn. In brief, the Cromwellian policy both at home and abroad had begun to take form; and it only remained to see with what success it would meet in its difficult and even dangerous innovations.

²⁰⁶ Copy in *ibid.*, ff. 153-4.

CHAPTER XII

PARLIAMENT, FOREIGN AFFAIRS AND CONSPIRACY

DECEMBER, 1654-JANUARY, 1655

Somewhere toward the close of 1654, according to his own testimony, Roger Boyle, Baron Broghill and later Earl of Orrery, who had left the King to follow the fortunes of the Lord General Cromwell and had remained his friend and supporter, had an interview with the Protector of more than ordinary interest. It revealed at once the opinions of each man and the difficulties which confronted the situation of the English dictator. "After the wars of Ireland and Cromwell being made Protector," it begins,

"a Parliament was called. Broghill, a member of it, had some secret correspondence with some persons about the king, by whom he had sounded the king's inclinations, which were favourable to a design of making a match betwixt his majesty, and one of Cromwell's daughters (the lady Frances, as I remember). . . . he took a fit occasion to move it to Cromwell . . . going to Cromwell's closet, Cromwell immediately came to him, and walking with him alone, he asked where he had been? My lord answered, in the city. Cromwell asked him what news there? My lord answered, very strange news. Cromwell earnestly enquiring what it was, my lord detained him a while, only by repeating, *It was strange news*, and smiling at the same time. Cromwell by the delay became more earnest to know it. My lord at last replied, that perhaps he would be offended to hear it. Cromwell not enduring any longer delay, assured him he would not, and therefore conjured him to tell it. Upon that, in a jocular way my lord told told (*sic!*) him, all the news in the city was, that he was going to marry his daughter Frances to the king. Cromwell then, with a merry countenance, asked him, *And what do the fools think of it?* My lord then replied, *All liked it, and thought it the wisest thing he could do, if he could accomplish it.* Upon that Cromwell made a stand, and looking steadfastly in my lord's face, asked him, *And do you believe so too?* His lordship seeing him a little moved, answered, he did believe it was the best thing he could do to secure himself. Cromwell then walked up and down the room, with his Hands behind him, in a very thoughtful manner; and at last asked my lord, what reason he had to be of that belief?" Broghill gave several reasons. "Cromwell gave great attention to these reasons; but walking two or three turns, and pondering with himself, he told lord Broghill, the king would never forgive him the death of his father. His lordship desired him to employ somebody to sound the king in this matter, to see how he would take it, and offered himself to mediate in it for him. But Cromwell would not consent, but again repeated, *The king cannot and will not forgive the death of*

his father; and so he left his lordship, who durst not tell him, he had already dealt with his majesty in that affair.”¹

The story which Broghill tells is peculiarly typical of a considerable section of English public opinion at that time. By the end of 1654 Oliver Cromwell had reached the height of his career. He had emerged from the status of a private citizen of no great importance into the ranks of those who controlled the destinies of nations. He was the almost unquestioned master of the British Isles; he was at once the hope and dread of foreign rulers. He had fulfilled his destiny; he had, in so far as possible, accomplished his mission; he had, perhaps, achieved his ambition. But in so doing he had exchanged his post as the head of a victorious army and a triumphing party for the responsibilities of an office always difficult, not seldom dangerous, and in comparison with the events of his ascent to power, dull. He had learned not only how uneasy the head which wears a crown but how exacting the life for which he had exchanged his years of obscurity and triumph. He was getting old; he was not in good health; he was plagued by what must have often seemed to him the senseless opposition of those who had earlier followed him almost unquestioningly. If one may believe the gossip of the time, he was increasingly disturbed by the fear of those who sought his life. As the event of the coach-accident proved, he went armed. He had a guard about him continually; and according to rumor, he seldom slept in the same bed two nights in succession for fear of assassination. He had experienced the dangers and difficulties of one who rose to power by such means as he had used; he was now experiencing the dangers and difficulties of such power when once achieved. And he did not like it, as the remark attributed to him indicates, “I would rather keep sheep under a hedge than have to do with the government of men.” But one thing, unquestionably, troubled him most of all. What would happen to this power once he laid it down or it was taken from him? It troubled his followers no less; for it was only too evident that the system set up to replace monarchy had not commended itself to the people. They yearned after the fleshpots of parliamentary monarchy. They hoped for some arrangement by which it might be restored. Even devoted followers like Broghill dreamed of a compromise with the Stuarts; even shrewd politicians like Cooper conceived that Cromwell himself might take the crown. Whatever its benefits a Commonwealth did not satisfy the people.

Yet, short of giving up the cause for which he had fought and acknowledging the failure of that cause, there was nothing to do but to go on, and it may be that in his case, as in so many others, the possession

¹ *A Collection of the State Letters of . . . Roger Boyle* (Dublin, 1743), pp. 41–43. Cp. also Burnet, *History of My Own Times*, i, 127–8 (ff. 69–70), which adds a reply of Cromwell that the king “is so damnably debauched, he would undo us all.”

of power compensated for the disadvantages of his position. They were not lessened by the activities of Parliament which in the first week of December had reached the question of the Council. Its number had been set, on September 25, at twenty-one, and after sharp debate as to the right of nomination, it was voted by 100 to 68 that its members should be nominated by the Protector and approved by Parliament, that eleven, not nine as had been previously agreed, should be a quorum; and that none of them were to hold office more than forty days under a new Parliament without its approbation.² Having debated the vexed question of the assessment, it was decided that its proportions should stand as for the preceding three months, but that Scotland and Ireland should be assessed only £8,000 each for the next quarter.³ This was closely connected with the question of the armed forces, which, after violent disagreement between the "court" party and its opponents, was for the moment laid aside while the House went back to the old problem of the constitution and powers of the Protector, Council and Parliament.

These had, in effect, been laid down earlier not only by the *Instrument* itself but by the debates and decisions in this Parliament. After what the diarist observes was "a day of the greatest dispute of business that I had known in the whole Parliament," it was voted on December 6 that the chief magistracy was to be in the Lord Protector, assisted by a Council, according to the laws and the limitations agreed upon in Parliament — which recognized, at least, some authority in that body. All writs, processes, commissions, patents and grants were to run in his name; titles of honor derived from him, but were not to be hereditary without Parliament's consent; nor should he be empowered to pardon persons convicted of murder or treason — the latter by the extremely narrow margin of 83 to 81 votes.⁴ He was to have control of foreign affairs; the benefits of all forfeitures and confiscations not already granted; the power of making war jointly with Parliament and of making peace only in the intervals of Parliament; and it was decided finally, without debate or division, that his office should be elective and not hereditary. With these and the confirmation of the provisions of the *Instrument* as to the number and distribution of the members of Parliament, and the provision that the great offices of state should be chosen with the approbation of Parliament,⁵ the long day's work came to an end and with it the controversies of the preceding two months over the position and powers of the Protector. In effect these resolutions merely confirmed the conclusions already arrived at; but the sharpness of the debate, the narrow margins by which the decisive results were attained, and the spirit shown by

² Burton, i, civ-cvii; *C. J.*, vii, 394; *Parl. Hist.*, xx, 389-90.

³ Burton, i, cvii.

⁴ *Ibid.*, p. cix; cp. *Perf. Diurn.*, Dec. 6, *Merc. Pol.*, Nov. 30-Dec. 7.

⁵ Burton, i, cvii-cxii; *C. J.*, vii, 396-7.

the members, especially those of the "court" party, revealed how nearly England came to the absolute dictatorship at which, apparently, some if not all of the Cromwellians aimed.

The question of the state settled, the House proceeded to the even more difficult problem of the church, especially that of toleration. As earlier, the House voted the national faith should be "the true Reformed Christian religion as it is contained in the Holy Scriptures of the Old and New Testament," that no laws be made to enforce conformity in either doctrine, worship or discipline, "publicly professed," without the consent of Parliament and the Protector, save that, as had been agreed earlier, all ministers receiving "public maintenance" must so subscribe and church attendance be required, if bills to that end be passed by Parliament, even though the Protector should not give his consent to them. A like vote was passed as to the restraining of "atheism, blasphemy, damnable heresies, popery, prelacy, licentiousness, and profaneness." The only question and the only division here at least on the phrase was "damnable heresy," which produced a vote of 91 to 68 and a resolution the next day to list the condemned doctrines. By 85 to 84 it was voted to refer the difficult task of enumerating them to a committee; while the books of the Unitarian Biddle, which had long vexed the godly party, were condemned, their author summoned before the House and presently imprisoned. Besides this, the discussion of atheism, blasphemy and profaneness was taken up, though naturally enough in view of the nature of that problem, without arriving at any conclusion. Meanwhile the House debated and divided again on the question of giving the Protector the right to a veto on laws relating to religion, it appearing that, as in the Biddle case, he was inclined to greater toleration than Parliament.⁶

So far as the records are concerned, Protector and Council seem to have been relatively quiescent while Parliament was wrestling with the problem of toleration. The Council met only once — on December 5 — and distinguished itself chiefly by its failure to vote any large sum of money. The Protector signed three warrants for Frost to pay various individuals for service to the state,⁷ and an order to Captain John Manly to pay Frost £2,500 for the Council's contingent fund, due as a quarterly payment from his post-office contract.⁸ The Council ordered Jones and Lambert to confer with Cromwell in regard to the next summer's guard at sea, and the Admiralty judges expressed impatience with the delay in the hearing of the Palache case.⁹

⁶ *Ibid.*, pp. 397-9; Burton, i, cxii-cxiii.

⁷ Dec. 4, £10 to Maj. John Blackmore (defeated by Robt. Shapcott for burgess from Tiverton — petition from his supporters in *Cal. S. P. Dom.* (1654), pp. 279-80). Dec. 6, £134 to George Thompson. Dec. 6, £166/6/8 to Lislebone Long for salary to Sept. 8. All in *Rawl. MSS.*, A328, ff. 156-7.

⁸ *Ibid.*, f. 155. Manly was a farmer of the Post-Office.

⁹ *Cal. S. P. Dom.* (1654), pp. 405-7. The judges reported Apr. 12, that the

Such troublesome little details only served to interrupt consideration of the more important questions of religion and the preparation of the West Indian fleet, now the Protector's chief concern. Having made Penn commander-in-chief of the sea-forces destined for the West Indies, he confirmed an order to the Lord Deputy and Council of Ireland for a land grant to Penn and on December 9 sent him his commission and instructions, with a detailed plan to Venables — whose commission had been sent earlier — explaining the method of attack to be followed on the arrival of the expedition. Besides these there was drawn up a commission for the other commissioners — Edward Winslow, who as sometime governor of the Plymouth colony was supposed to have knowledge of colonial affairs; Daniel Searle, governor of Barbados; and Captain Gregory Butler. Thus having, apparently, provided for every contingency — except the division of authority, insufficient forces and incompetent leadership — he committed the expedition to its fate:

Commission to general Penn

Oliver, Lord Protector of the Commonwealth of England, Scotland, Ireland and the dominions thereunto belonging, to General William Penn, Commander-in-Chief of the fleet and sea forces designed and set forth for the parts of America, greeting:

We, having taken into consideration the cruelties and inhuman practices of the King of Spain exercised in America, not only upon the Indians and natives, but also upon the people of these nations inhabiting those parts, whom he hath, contrary to common right and law of nations, by force of arms, driven forth from those places and plantations whereof they were the rightful possessors; murdering many of their men, and leading others into captivity; and, to this very day, doth not only deny to trade, or to have any commerce with us, and the people of these countries in any part of America, but, contrary to the treaties between the two states, doth exercise all acts of hostility against us, and this people there, as against open and professed enemies, giving thereby, and (by) the claim he makes to all that part of the world by color of the Pope's donation, just grounds to believe that he intends the ruin and destruction of all the English plantations, people and interests in those parts: and having, for these and several other reasons, with the advice of our council, prepared and set forth a fleet of ships of war, with the convenient number of ships of burden to carry provisions and to transport a land army and the forces under the conduct and command of General Venables, into America, to an intention to assault the said King of Spain and his subjects there; and it being necessary that the said fleet of ships should be put under the command and conduct of a faithful, experienced person; and reposing confidence in the abilities, faithfulness, and good affection of you, General William Penn, we have made, con-

goods of Jacob Carolus, alias Palache, a Jew of the Hague, were "good prize," but now found that though he was born there, his father was minister of the "King of Morocco" to Denmark and was going to a like post at the Hague, so — if the goods seized belonged to Palache — they should be returned (*ibid.*, p. 91).

stituted, and appointed you, and do by these presents make, constitute, and appoint you, to be General and commander-in-chief of the said fleet and ships and do hereby give unto you full power and authority to order, man, and command the same and to give commissions, with the seal of the anchor, for supplying such officers of the fleet as shall depart this life, or be otherwise removed, after you shall be put to command, upon the said expedition; and, for the better governing and executing of the said fleet, to exercise and execute the power of martial law over all persons belonging to the said fleet under your commission, according to the rules and articles heretofore given and appointed for the fleet of this state, and according to the general customs and laws of the sea; and the same power to grant under your hand and seal to any officer of the said fleet divided from the rest, or in your absence. And we do hereby will and require the vice-admiral and rear-admiral of the said fleet, and all others, the subordinate captains, masters, officers and mariners serving in any ship or vessel in the said fleet, for the time being, to be obedient to you in their several and respective places, and to all and every the commands which you shall give them, or any of them, for our service; and you to observe and follow such instructions, orders, and directions, as you herewith or hereafter shall receive from us and for the premises these presents shall be your warrant. In witness whereof, we have caused these our letters to be made patent. Witness ourself at Westminster, the 9th October,¹⁰ in the year of our Lord, 1654.¹¹

*For the Right Honourable the Lord Deputy, and Council in Ireland,
these:*

My Lord and Gentlemen,

Ourself and council having thought fit, in consideration of the great losses sustained by General Penn and his wife by the rebellion in Ireland, and as a remuneration of his good and faithful services performed to the commonwealth, to order that lands of the value of 300*l.* a year, in Ireland, as they were let in the year 1640, be settled on General Penn and his heirs; and forasmuch as he is now engaged in further service for the commonwealth in the present expedition by sea, and cannot himself look after the settling of the said estate, it is our will and pleasure, that lands of the said value be speedily surveyed and set forth in such place where there is a castle or convenient house for habitation upon them, and near to some town or garrison, for the security and encouragement of such as he shall engage to plant and manure the same, and, if it may be, such lands as are already planted, or at least such as are capable of present improvement. It being our desire and intention that he may receive the full benefit of the said order to the utmost extent of it. And he having employed and intrusted one Mr. Gossage, inhabitant in Limerick, as his agent to take care of the said business, and improve the said lands to be set forth for his use, we desire that he may have access in his addresses to you therein, and that he may upon all occasions have your furtherance and assistance for the speedy and effectual carrying on and accomplishing of the said business.

¹⁰ This is an error for December. See Penn to Goodson, June 21, 1655, in *Memorials of Penn*, ii, 112.

¹¹ Watts, *Hist. des Colonies Angl.*, pp. 469-70; also in *Memorials of Penn*, ii, 21-22.

And we, having engaged to take care of the performance thereof in General Penn's absence, for our better satisfaction, we desire that you will give us an account of your proceedings therein. We do earnestly and specially recommend the premises to your care, and remain

Your loving friend,
OLIVER P.¹²

Whitehall,
December 4th, 1654

*Instructions given unto General William Penn, Commander-in-chief
of a Fleet of Ships into the parts of America*

OLIVER, P.

1. Whereas, we, by our commission on that behalf, have made and constituted you general and commander-in-chief of the fleet designed and prepared for America, you are to take into your charge the said fleet, being hereafter particularly mentioned, that is to say, *Swiftsure, Paragon, Torrington, &c.*

2. Whereas, besides the said fleet, we have caused to be raised and levied, here in England, land forces both horse and foot, (viz.) five regiments of foot, six hundred in each regiment, being in all 3000 foot; and sixty horse, to be transported into the parts aforesaid, under the conduct and command of General Venables, and have appointed them to march to Portsmouth to go aboard there, you are therefore to take aboard the said fleet, the said General Venables, with the said forces, horse and foot, and their arms, ammunition, provisions, and other things whatsoever belonging to them, or such of them as shall be ready; and having so received them aboard, you shall, with the fleet aforesaid, repair, as wind and weather shall permit, and according to the Instructions herewith delivered to you, into the West Indies.

3. You are to use the utmost care, in the transporting the soldiers, to prevent sickness among them, to which purpose they are to be indifferently distributed for their numbers into the several ships, that no one ship may be overcharged with men, which may cause infection; and to use such other means as you, with the advice of General Venables, shall find requisite.

4. Whereas other forces are intended to be levied and raised in the Barbadoes, and other the islands and English plantations there, you are, as wind and weather will permit, to sail with the fleet and soldiers for the island of Barbadoes, or such of the other islands as the commissioners appointed to manage those affairs, or any three of them (whereof you shall be one), shall think requisite for the present service; unless the said Commissioners (whereof you and General Venables shall be two), upon any intelligence, or other considerations, which may occur in the meantime for the good of the service, shall otherwise resolve; in which case their resolutions are to be observed.

5. Whereas our design in this expedition is to assault the Spaniard in the

¹² *Memorials of Penn*, ii, 19-20; cal. in Dunlop, *Ireland under the Commonwealth*, ii, 463, from original in Irish Records, Letters of the Lord Protector, A/28, 26, f. 47. Presumably this insistence that a grant made in September be taken care of immediately was to conciliate Penn because his command in the West Indian Expedition was secondary to that of Venables. Exactly what his losses were does not appear, but the grant was justified by his services.

West Indies, in the manner expressed in our instructions to General Venables, which he is to communicate to you; you shall, with the fleet and sea-forces, from time to time, by the advice of the said commissioners, or any three of you, do your utmost endeavours to promote the service upon all occasions.

6. You shall use your best endeavours to seize upon, surprise, and take, all ships and vessels whatsoever belonging to the King of Spain, or any of his subjects in America, or of any others who shall assist and aid him, or shall be enemies or rebels to us and this commonwealth, together with the tackle, apparel, ordnance, and ammunition, and all and singular the goods, monies, wares, and merchandise therein; and, in case of resistance, you are authorized to sink, burn, and destroy, all such ships and vessels.

7. You are hereby authorized and empowered, as well with the sea-forces alone, as in conjunction with the land-forces, as the nature of the service shall require, with the advice of the said commissioners, or any two of them, to land men upon any of the dominions and possessions of the King of Spain in America, or any other who shall assist or aid him, or shall be enemies or rebels to us and this commonwealth; there to surprise their forts, take or beat down their castles and places of strength, seize all ships and vessels belonging to the persons aforesaid, or to any other who shall hold trade and commerce with them; and to use all other acts of hostility necessary for the effecting the ends aforesaid.

8. You shall take care that such ships, vessels, goods, monies, and wares, which you shall take and seize upon by virtue of the power granted to you by these instructions, be preserved without embezzlement, and delivered to the commissioners, that so they may come in account to the State.

9. For the better enabling you for the executing the premises, you are hereby empowered and authorised to embark, arrest, take up, and use, in any of the parts aforesaid, such ships and other vessels, to whomsoever belonging, which you, in your judgment, shall find necessary in order to the said service, giving them reasonable satisfaction for the same.

10. You shall take care to preserve the honour, jurisdiction, territories, and people of this commonwealth, within the extent of your employment; and, in all places where you shall sail, endeavour, as much as in you lieth, that no nation or people intrude hereupon, or injure any of them.

11. Whereas divers good people of this commonwealth have sustained, and do daily sustain, great losses and damages by having their ships and goods seized, pillaged, surprised, and taken, by divers French ships, and Frenchmen, subjects of the French king, by which means the shipping of this nation hath been in some measure impaired, and the English trade lessened; and albeit all fair courses have been taken and observed, according to the forms of princes and States in amity, in seeking and demanding redress and reparation, yet none could be obtained, but, on the contrary, the French ships do continue to seize and depredate the ships of this commonwealth and the people thereof, so that, according to the laws and customs of nations, letters of reprisal are grantable; and whereas many of the English so spoiled are not able to undergo the charge of setting forth ships of their own to make seizure by such letters of marque; and for that, by the laws used among nations, any State may, in such cases, cause justice to be executed by their own immediate officers and ministers,

OLIVER CROMWELL

where they find it requisite; especially in this case, where many of the State's own ships have been surprised and taken: you shall, therefore, as in the way and execution of justice, seize, arrest, surprise, and detain, or, in case of resistance, to sink, burn, and destroy, all such ships and vessels of the said French king, or any of his subjects which you shall meet with, together with the tackle, apparel, ordnance, and ammunition, and all and singular the goods, monies, wares, and merchandise therein, wheresoever the same shall be met withal upon the sea. And the same so seized, arrested, or surprised, you shall secure without any manner of wasting or embezzling the same, or any part thereof; and shall deliver the same to the commissioners, who shall cause a true account to be kept thereof, and of the product and provenue that shall arise therefrom.

12. You shall, in this your employment, take care that the general instructions given to you, and the other generals of the fleet, as to the matter of discipline, and other things relating to the well-ordering and management of the fleet, be put in execution, which you are hereby authorised to do.

13. You shall be careful to give unto us frequent intelligence of your proceedings, that you may receive our further directions thereupon, as there shall be occasion.

14. Whereas all particulars cannot be foreseen, nor positive instructions for such emergencies so beforehand given, but that most things must be left to your prudence and discreet management, as occurrences may arise upon the place, or from time to time fall out; you are therefore, upon all such accidents relating to your charge, to use your best circumspection, and by advice, either with the commissioners, or your council of war, as occasion may be, to order and dispose of the said fleet, and the ships under your command, as may be most advantageous for the public, and for obtaining the ends for which this fleet was set forth; making it your special care, in the discharge of that trust committed unto you, that the commonwealth receive no detriment.

15. Whereas we are informed, that part of the fleet aforesaid are ready to set sail with some part of the land forces; you are hereby authorized and required to give orders to that part of the fleet which is fitted and prepared as aforesaid, taking aboard them such of the said forces as are ready, to sail forthwith, as the wind and weather will permit, to the island of Barbadoes; and General Disbrow, General Venables, and you, or any two of you, are hereby authorised to give such instructions to the commander-in-chief of that squadron as shall be most for the advantage of this service, and may put things in a readiness there against the arrival of the other part of the fleet, wherewith you are to hasten after, as soon as the same can be put into condition to sail.

John Thurloe¹⁸

Commission to general Venables.

Oliver lord protector of the commonwealth of England, Scotland, and Ireland, and the dominions thereto belonging, to our trusty and well-beloved Robert Venables, general and commander in chief of our army and forces to be sent into, or raised in America.

Whereas we are resolved, through the blessing of God, to send an army into America, for securing and increasing the interest of this commonwealth in

¹⁸ *Memorials of Penn*, ii, 23-27.

those parts, and for opposing, weakening, and destroying that of the Spaniards, who under a pretence of the pope's donation claims all that part of the world, as belonging unto him, and thereupon hath not only exercised inhuman cruelties upon the natives, and prohibited all other nations to have any trade, commerce, or correspondence with those parts; but hath, contrary to the laws of all nations, by force of arms, expelled the people of these islands from several places in America, whereof they were the rightful possessors, destroying and murdering many of their men, and leading others into captivity; and doth still continue all manner of acts of hostility upon us, and the people aforesaid in those parts, as against open and professed enemies; thereby threatening the ruin and destruction of all the English plantations in those parts, when he shall have opportunity for the same. And we having by advice of our council raised and levied forces here in England, to be sent into the parts aforesaid, and intending also, that other forces shall be raised in the Barbadoes and other Caribbee islands and places there, to be joined unto them; and reposing trust and confidence in your faithfulness, ability, courage, conduct and circumspection, we have constituted and appointed, and do by these presents constitute and appoint you the said general Venables, commander in chief under us of the army and forces, raised or to be raised by authority from us, for the end and service aforesaid; giving and granting unto you full power and authority to rule, govern, command, dispose, and employ the said army and forces, and every part thereof, and all officers and others whatsoever, of and belonging to the same, in, for, or about all defences, offences, executions, and other military and hostile arts and services; and to lead and conduct the said army and forces, or any part thereof, against the king of Spain, his people, and subjects, in any part of America and all others whomsoever, who shall aid or assist him or them there, or shall be enemies or rebels to us and this commonwealth in those parts; and them to pursue, invade, resist, kill, and destroy by all means whatsoever; and also to command all garrisons, forts, castles, and towns, within the said parts of America, which are already garrisoned and fortified to our use, or shall be hereafter garrisoned and fortified; and also full power and authority to assign and grant commissions to all such commanders, officers, and governors of the said army, forces, and garrisons, as shall be thought necessary and requisite for the command and government of the same; and also full power and authority to command the several and respective governors of the islands of Barbadoes, Bermudas, Antegoa, and other the Caribbee islands, and of all other English plantations in America; and all other officers and ministers whatsoever in the said islands and places; and also full power and authority to execute or cause to be executed martial law, according to the cause and customs of war, and according to the laws and ordinances of war upon or against any person or persons offending against any of the said laws, or ordinances of war; and also full power and authority from time to time by yourself, or others, deputed and authorized by you, to take up and use such carriages, draughts, boats, and other vessels, as in your discretion shall be thought needful for the conveying and conducting of the said army and forces, or any part thereof or for bringing or carrying ordnance, artillery, ammunition, victuals, or any provisions, or utensils of war, necessary or requisite for the same army, or forces, or any part thereof, to or from any place or places, in order to the said service; and also full power and

authority to do and execute all other things incident and belonging to the place of a commander in chief of an army, and which shall be necessary and requisite for the carrying on and accomplishment of the premisses; and all commanders, officers, and soldiers of the army, forces, and garrisons, are hereby required to obey you as their commander in chief, according to the discipline of war; and likewise the governors, officers, and ministers of the said several islands and plantations, and all other officers and persons whatsoever in the parts aforesaid, are hereby required to obey you, and to be aiding and assisting to you in their respective places, for the ends and purposes aforesaid: and you are in the prosecution and execution of all and singular the premisses, to observe and follow all such instructions, orders, and directions, as you shall herewith or from time to time hereafter receive from us. And for the premisses these presents shall be your warrant. In witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster, the 9th day of December in the year of our Lord one thousand six hundred and fifty four.

Indors'd by secretary Thurloe,

4 Decemb. 1654.

This commission was read in the counsell, and past.

Present,

| | |
|-----------------|-----------------|
| Lord president, | Col. Mountagu, |
| Lord Lambert, | Mr. Strickland, |
| Col. Fiennes, | Sir Ch. Wolsly |
| Col. Sydenham, | Col. Mackworth. |
| Col. Jones, | |

Ordered, that his highness be advised to give this commission to general Venables.¹⁴

*Instructions unto Generall Robert Venables given by His highness
by advice of his council
upon his expedition to the West Indies*

Whereas we have by our Commission constituted and appointed you commander-in-chief of the Land army and forces raised, and to be raised, as wel in England, as in the parts of America, for the ends and purposes expressed in the said Commission.

1. You shal therefore, immediately upon the receipt of these Instructions, repaire with the Forces aforesaid unto Portsmouth, where we have appointed the Fleet designed for the afore-said service under the command of Generall William Penn, to take you with the said army and forces aboard them to transport you into the parts aforesaid.

2. Whereas some additional forces, as the service shal require, are to be raised in the Island of Barbadoes, and other the English Islands and Plantations, you shall upon your arrival there, and upon consideration had with the Commissioners appointed to attend this service, or any two of them (wherein also if you think fit you may advise with some of the most experienced men in those

¹⁴ Thurloe, iii, 16-17; also in Watts, *Hist. des Colonies Ang.*, pp. 464-6.

parts); concerning the present designe and the Nature thereof, use your best endeavors by such wayes, and meanes as you with the advise of the said Commissioners or any two of them, shal judge most convenient and expeditious, to levy and raise such numbers of souldiers as shal be found necessary for the better carrying on of this designe, the said souldiers to be either taken with you upon your first attempt, or to follow after, as shal be by the advise aforesaid agreed and directed. And wee have thought fit to leave unto your discretion, by the advice aforesaid, what numbers of men shal be raised, as also the manner and meanes of doing thereof, because you may not at that distance be tyed up by any instructions which may not suite with, or be agreeable to such accidents as may happen and fall out upon the Place, but may be at liberty to proceed upon the Designe, either without any addition of forces in the Islands and Plantations aforesaid, or with a les or greater addition, as you shal find the nature of the service to require; and you have also Power and authority from time to time by your warrant to cause such further supplyes of men to be levied in any the said Islands for the aforesaid service, as you with the advise aforesaid shal find necessary.

3. The designe in General is to gain an interest in that part of the West Indies in the possession of the Spaniard. For the affecting whereof we shal not tye you up to a method by any particular Instructions, but only communicate to you what hath bin under our Consideration. Two or Three wayes have bin thought of to that purpose.

1st. The first is to land upon some of the Islands, and particularly Hispaniola, and St. Johns' Island, one or both; the first of them hath no considerable place in the South part thereof but the city of Sto: Domingo, and that not being considerably fortifyed may probably be possest without much difficulty, which being don, and fortifyed, that whole Island will be brought under obedience; the cheif place of St. Johns Island is Porto Ricco. The gayning of these Islands, or either of them, wil as We conceive amongst many others have these advantages.

1st. Many English will come thither from other parts, and soe those places become Magazins of men and provisions for carrying on the designe upon the Mayne Land.

2. They wil be sure retreates upon al occasions.

3. They lye much to the wind-ward of the rest of the K. of Spaines dominions, and being in the hand of the Spaniard will enable him to supply any part that is distressed on the mayne, and being in our hands will be of the same use to us.

4. From thence you may possibly after your Landing there send force for the taking of the Havana, which lyes in the Island of Cuba, which is the back doore of the West Indies, and wil obstruct the passing of the Spaniards Plate Fleete into Europe, and the taking of the Havana is so considerable that We have thoughts of beginning the first attempt upon that fort and the Island of Cuba, and do still judge it worthy of consideration.

2. Another way we have had consideration of is, for the present to wave the Island, and to make the first attempt upon the mayne land, in one or more places between the River Orinoque and Porto Bello, aymeing therein chiefly at Cartagena, which we would make the seate of the intended designe, secureing

some places by the way thereto that the Spaniard might not be to the windward of us upon the mayne land wherein if you have succes you will in al probability.

1st. Be master of the Spanyards Treasure which comes from Peru by the way of Panama in the South sea to Porto Bello or Nombre de Dios in the North sea.

2. You wil have houses ready built, a country ready planted, and most of the people Indians, who wil submit to you, there being but few Spanyards there as is informed.

3. You wil be able to put the Country round about under Contribution for the maintenance of the Army, and therewith by the Spoile and other wayes probably make a great present retурне of profit to the Commonwealth.

There is a third Consideration and that is mixt relating both to the Islands, and also to the mayne land, which is to make the first attempt upon Sto. Domingo, or Porto Rico, one or both, and having secured them to goe immediately to Carthagena, leaving that which is to the Windward of it to a farther opportunity, after you have secured and settled that city with what doth relate thereto, if God please to give that place into your hands.

These are the things which have bin in debate here, and haveing let you know them we leave it to you, and the commissioners aforesaid to be weighed upon the place, that after due consideration had amongst yourselves, and with such others as you shal thinke fit to advise with who have a particular knowledge of those parts, to take such resolutions concerning the making of the attempts and the mannageing, and carrying on this whole designe, as to you and the said commissioners, or any two of them, shal seeme most effectual, either by the wayes aforesaid, or such others as shal be judged more reasonable. And for the better enabling you to execute such Resolutions as shal be taken in the premisses, you are Hereby authorized and required to use your best endeavors, Wherein Generall Penn Commander-in-Chief of the Fleete is by Us required to joyne with and assist you with the Fleete and sea forces as often as there shal be occasion to land your men upon the Territories, Dominions, and Places belonging unto, in the possession of or claymed by the Spanyards in America, and to surprise their forts, take or beate down their Castles and Places of strength, and to pursue, kil, and destroy by al meanes whatsoever al those who shal oppose or resist you there-in, and also to seize upon al ships and vessels which you find in any of their Harbors, and also upon al such goods as you shal find upon the land.

4. Such Resolutions as shal be taken by you and the other commissioners concerning the way and manner of making your first attempt, and what you do designe thereupon, you shal certifie unto us by an Expres, and as many other wayes as you can, To the end We may know whither to send to you upon al occasions that may fall out.

5. In case it shal please God to give you succes, such places as you shal take and shal judge fit to be kept, You shal keep for the use of us and this Commonwealth, and shal also cause such goods and Prizes as shall be taken to be delivered into the hands of the said Commissioners. That so they may be brought to a just and true account for the publique advantage.

6. You have hereby power with the advise of the said Commissioners or

any two of them, to place garrisons in any such places as shall be taken in, and to appoint fit Governors thereof, and to give them Commissions, under your hand and seale accordingly, And to slight the said Garrisons, and remove the said Governors, as you by advise aforesaid shall thinke necessary and for our service.

7. You have hereby power and authority by the advise aforesaid to offer and give reasonable conditions to such persons as will submit to our government, and willingly come under our Obedience, and also to treat and conclude for the surrendering of any Fort, Castle, or Place, into your hands, having in all your transactions care of preserving the Interest of this Commonwealth. And you are to use your best endeavors, so far as it is practical, that no dangerous person be suffered to abyde long in any place possest by you, unless they be in custody; and such as shal be taken prisoners, you shal use your best endeavors either by sending them into Europe, or otherwise as you shal find most expedient, that they may not be againe serviceable to the enemy in those parts.

8. You shal have power by the advise aforesaid to raise such forces as shal be judged necessary in any of the parts which you shall gaine the possession of as aforesaid, and to appoint Commanders and Officers over them, and to arme, leade, conduct, and dispose of them for the purposes aforesaid.

9. You shal give unto us as Frequent accounts as may be of al proceedings, that soe you may receive our farther directions there upon as shal be necessary.

10. Whereas all particulars cannot be foreseen, nor positive Instructions for such Emergencies so before hand given but that most things must be left to your prudent and discreet management as Occurrences may arise upon the place, or from time to time fal out, you are therefore upon al such accidents relateing to your charge to use your best circumspection, And by advice either with the said Commissionners or your Councel of War as occasion may be, to Order and dispose of the Forces under your Command as may be most advantageous for the publique, and for obtaining the ends for which Forces were raysed, it your special care in discharge of that great trust committed to you that the Commonwealth receive no detriment.¹⁵

[December 9, 1654]

The Commission of the Commissioners for the West Indian Expedition.

Oliver, Lord Protector of the Common Wealth of England, Scotland, and Ireland, and the Dominions thereto belonging, To our right trusty and welbeloved Generall Robert Venables and Generall William Penn, and to our Trustie and beloved Edward Winslowe Esqr., Daniel Searle Esqr. Governoour of our Island of Barbadoes, Gregory Butler Esqr. Greeting,

Wee having taken into our serious Consideration the State and Condition of the Englishe Plantations and Colonies in the Westerne parte of the World called America, and the Opportunity and meanes which God hath betrusted us and this Common Wealth with, both for secureing the interest wee already have in

¹⁵ Watts, *Hist. des Colonies Ang.*, pp. 466-9, from Add. MSS., 11410, f. 41; also in Firth, *Narrative of Gen. Venables* (L., 1900), pp. 111-5; extract in *Memorials of Penn*, ii, 28-29.

those Countries, which nowe lye open and exposed to the will and power of the King of Spaine (whoe claimes the same by Colour of a Donation of the Pope) at any time when hee shall have leisure to looke that way; and also for getting Ground and gaineing uppon the Dominions and territories of the said Kinge there.

Whereunto Wee also hold our self Obliged in Justice to the People of these Nations for the Cruelties, Wrongs, and Injuries done and exercised upon them by the Spaniards in those parts, Haveing a respect likewise in this our undertaking to the Miserable Thraldome and Bondage, both Spirituall and Civill, which the natives and others in the Dominions of the said King in America are subiected to and lye under by meanes of the Popish and cruell Inquisition and otherwise, from which if it shall please God to make us instrumentall in any measure to deliver them, and upon this occasion to make way for the bringing in the light of the Gospell and power of true Religion and Godliness into those parts, Wee shall esteeme it the best and most Glorious part of any Successe or Acquisition it shall please God to blesse us with. And wee having upon these and other Consideracions raised and sett forth Land and Sea forces to send into the Parts aforesaid for the ends and purposes before expressed, and considering how necessarie it is that Persons of knowne prudence, Wisdome, and fidelitie, should be authorized and Commissionated by us for the better Ordering and mannaging so great affaires upon all occasions, as things may emerge and fall out for the best Advantage of the State, and for the improvement of this whole designe; and Reposeing trust and Confidence in the abilitie, Circumspection, and fidelitie, of you Generall William Penn, Generall Robert Venables, Edward Winslowe, Daniell Searle, Gregory Butler, Wee have made, constituted, and appointed, and by these presents doe make, constitute and appoint, you the said Generall Robert Venables, Generall William Penn, Edward Winslowe, Daniell Searle, Gregory Butler, to be our Commissioners for the ordering mannageing and governeing the Affaires aforesaid, accordinge to the Instructions herewith delivered unto you, and such others, as you shall from time to time receive from Us, and therefore we doe hereby Strictly charge and require you that you doe intend the said Service, and use your utmost dilligence and endeavours for the Carrying on and promoting the same, and observe, and keepe, and cause to be observed and kept, all and singuler the said Instructions, and such others as you shall hereafter from time to time receive from Us, and we doe alsoe Streightlie charge and Command all others whome it may concerne to bee ayding and assisting to you, and every of you, in the execution of the premisses, and to be obedient to your Commands therein as becomes, as they and every of them will answer the Contrarie at theire Perills. This Commission, power, and authoritie, to continewe in force untill Wee shall otherwise order. In witness whereof wee have caused these our Letters to bee made Patents, Witnesse ourself at Westminster the Ninth Day of December, In the yeare of our Lord One Thousand, Six hundred, Fifty and Fower.

This is a true copy,

Will Aylesbury, secret.¹⁶

¹⁶ Watts, *Hist. des Colonies Ang.*, pp. 462-4, from Add. MSS. 11410, f. 47; also in Firth, *Narrative of Venables*, pp. 109-10.

How did he justify this attack upon a power which, if not exactly friendly, was at least not at war with England? There are two pieces of evidence which contribute to our knowledge of the excuses for that enterprise. The first is the general assurance he gave on every hand that the mission was completely righteous and justifiable. In a conversation with Venables he weighed the possibility of public condemnation of the venture, but concluded with a certain lack of logic, if not of ingenuousness, that nothing was being done against Spain contrary to the articles agreed upon between the two countries; for if there had been a peace, Spain had violated it and England might justly retaliate; and if there was no peace, there was nothing to violate.¹⁷ The second excuse was embodied in the commissions to Penn and Venables. It was an indictment of the Spaniards for their practices toward the natives in their American provinces; their acts of hostility against the English "contrary to the treaties between the two states;" and the claim derived from the Papacy's "donation" of "that part of the world," which gave "just grounds to believe that he intends the ruin and destruction of all the English plantations, people and interests in those parts." It was, in effect, a plea that this expedition was at once a crusade and an "offensive-defensive" operation designed to protect English interests in the western hemisphere. Such considerations, no doubt, were in Cromwell's mind, but to the Spaniards, and even to dispassionate observers, this venture smacked more of the plundering expeditions of Drake and Hawkins and Raleigh than of an effort to rescue the oppressed natives from Spanish tyranny. It was, in fact, a continuation of that religio-political struggle which had produced the Armada, and, like some of the expeditions of Elizabeth's later years, it was retaliation for that event which had made such an impression on the England of Cromwell's parents and grandparents, and so on him.

There is no better tribute to the skill and discretion of Cromwell and his associates than the fact that, though the preparations for an expedition were known to the foreign representatives in England, the destination of this force was kept such a profound secret. It seems probable that Blake's voyage had to some extent diverted the attention of Continental powers and that they may have judged this new fleet was destined to support him in some fashion. Bordeaux reported to Mazarin that neither France nor Holland would probably be subject to attack and that this expedition was probably designed for the Barbary Coast or America.¹⁸ He also reported that Beverning had been absent from London for several days, leaving Nieupoort the only Dutch representative in England.¹⁹ None the less a few days later Louis XIV wrote to Cromwell in regard

¹⁷ Cp. *ibid.*, p. 3; Gardiner, *Comm. and Prot.*, iv, 125-7.

¹⁸ Thurloe, iii, 8.

¹⁹ *Ibid.*, p. 7.

to the delay in the peace negotiations,²⁰ and it might be judged from this that the French were not wholly free from fear of attack. The Spanish government in the Low Countries was apparently more disturbed, for Edward Missenden, long connected with the Merchant Adventurers' activities in Holland, wrote to notify the Protector that the Scheldt had been closed to English ships,²¹ which seems to indicate, among other things, that there was some doubt of English good faith in the mind of the governor, Archduke Leopold.

In general the preparations for the West Indian expedition interfered but little with the ordinary affairs of the government. On his part the Protector ordered Monk to assist Colonel Lyons in transporting a foot regiment raised in Scotland for the service of foreign princes;²² signed a pass for one Ingram Hastings to go to France;²³ ordered Barkstead, Lieutenant of the Tower, to set free George, Lord Spynie, who had been captured at Worcester;²⁴ and went through the usual routine of Protectoral business.

As the Penn-Venables expedition began to make sail, Parliament went on to the interminable and inconclusive discussion of the question of the enumeration of heresies, concluding by the usual procedure of passing that insoluble problem to a committee, and contenting itself further with the condemnation of Biddle's "Unitarian" tracts to be burned by the hangman and the sentencing of their author to the Gatehouse.²⁵ The religious problem was much to the fore at this moment. It was apparently about this time that several army officers petitioned the Protector for toleration for all but Catholics, for the removal of tithes and for righting the wrongs inflicted for liberty of conscience.²⁶ The second part of the proviso in the report of the committee on religion which dealt with the Protector's veto in matters of religion elicited the usual quibbling and the usual lack of result. On the other hand, the House arrived at certain conclusions in other matters. It accepted the 39th and 40th Articles of the *Instrument* to the effect that promises made by Parliament concerning money and property and any agreements made with the "enemy," that is to say the Royalists, and later confirmed by Parliament, be re-

²⁰ *Ibid.*, pp. 12-13.

²¹ *Ibid.*, pp. 13-14.

²² *Rawl. MSS.*, A328, f. 159.

²³ *Ibid.*, f. 158.

²⁴ *Ibid.*, f. 157. Cp. vol. ii of this work, pp. 458 n., 474. He was committed to the Tower on Sept. 16, 1651 (*Cal. S. P. Dom.* (1654), p. 273); "to be banished" according to Council report of Sept. 1, 1654 (*ibid.*, p. 353); Aug. 25, 1654, warrant by Frost of £2 "for weekly maintenance" (*ibid.*, p. 454).

²⁵ Burton, i, cxiii-cxvii; *Sev. Proc.*, Dec. 14-21.

²⁶ *Clarke Papers*, iii, 12-14; Paulucci to Morosini, Dec. 12, quot. in Gardiner, *Comm. and Prot.*, iii, 221.

garded as valid, and agreed that appeals still pending from the late Parliament might still be heard. It agreed also on the oaths for the Protector and Council, and ordered that a special session be held in the event of the Lord Protector's death.²⁷

It is evident that while Parliament had previously been inclined to leave the Protector's powers as defined in the *Instrument* little altered, the House did not see eye to eye with Cromwell in many matters, and still less was it inclined to grant any authority beyond his own lifetime. He was reported to have said that if the assessment was left at £60,000 a month instead of £90,000, the Army would have to live at free quarter,²⁸ but even this threat does not seem to have greatly influenced the members. In fact, as a result of the last Article debated — number 27, concerning the standing forces — the House took away the control of the army for life, which it had earlier voted to the Protector, and by a vote of 90 to 56 substituted a maintaining revenue for the forces, to continue only until the next Parliament had been in existence for forty days.²⁹ This, in effect, put the control of those forces in the hands of Parliament, and in so far definitely reduced the authority of the Protector, in so far, at least, as that could be done by a resolution of Parliament — which was not much.

While Parliament was doing what it could to reassert its authority, the proceedings of the Council, which met on December 12 and 16,³⁰ were largely concerned with the details of the West Indian expedition which was about to sail, and with naval matters in general. It was decided that the next summer's guard should consist of 9,000 men. A patent was issued to authorize the Commissioners of the Great Seal to pay out £250 weekly for the relief of sick and wounded sailors.³¹ And besides a number of routine items of business,³² the Protector took occasion to sign two curiously unrelated documents, one to nominate a professor of Greek at Cambridge; the other as additional instructions to the Commissioners for the American expedition:

²⁷ Burton, i, cxviii-cxx; *C. J.*, vii, 400-402; cp. also Abbott, *Bibliog. of O. C.*, nos. 670, 671 etc. for other materials relating to this discussion.

²⁸ Bordeaux to Brienne, Dec. 11/21, *Fr. Trans. R. O.* The bill for this was read for the second time on Nov. 29 (*C. J.*, vii, 392).

²⁹ Burton, i, cxx; *C. J.*, vii, 403.

³⁰ The Protector was present on the 16th (*Cal. S. P. Dom.* (1654), p. xliii).

³¹ *Ibid.*, p. 411.

³² Dec. 14, a pass for Col. Thomas Lyons to France; Dec. 15, pass for Mr. William Sackville; Dec. 12, order for the release of Abraham Granger from Newgate on security of £5,000; Dec. 14, order to admit ten tuns of wine free of duty for the French ambassador; Dec. 15, order to Frost to pay John Parker, serjeant at law, £263/19 for salary as judge of assize for the northern circuit in 1652-3, and judge assistant to the Dutch court in 1651-2-3. (*Rawl. MSS.*, A328, ff. 158-161). It should be noted that on Dec. 19 the Council apparently set the summer guard at 8,000 men and 60 ships (*Cal. S. P. Dom.* (1654), p. 586).

*To Our Trusty and well beloved Edmund Prideaux, Esq., Our
Attorney General*

OLIVER P.

Whereas James Duport of Trinity College in Our University of Cambridge (who lately held the place of the Greek Professor in the said University) did in the month of October last resign, and give up the said place by which the same became actually void, as We are informed; And whereas We are also informed that due notice was given in our said University of the said resignation, But no choice made of another Professor into that place by the time limited for making the said election: In which regard the power and right unto the said election is devolved unto Us by lapse of time, and the nomination and appointment of a Greek Professor in that University is wholly in Us, And being well satisfied of the worth and learning of Our trusty and well beloved Ralph Widdrington, Master of Arts, now one of the Fellows of Christ College, and the present public orator of Our said University:

We have thought fit to make choice of him to be Professor of the Greek Tongue of and in the said University; And therefore Our will and pleasure is, that you forthwith prepare for Our signature a Bill containing Our grant, and confirmation unto the said Ralph Widdrington to be Greek Professor of and in our said University of Cambridge, to hold the same with all profits, benefits, privileges, preheminences, and advantages thereunto incident, for the term of his life as fully and amply as the said James Duport or any other Greek Professor of and in the said University heretofore did, or ought, or lawfully might hold, or enjoy the same; with this, that neither such Our grant of the said place unto him the said Ralph Widdrington as aforesaid nor his holding, or enjoying the same shall any way hinder disable or debar him in the having, holding, enjoying or continuing any place, fellowship, office, preferment, or privilege which he now hath, holdeth or enjoyeth in Our said University of Cambridge or in any college in the said University, so long as he the said Ralph Widdrington shall enjoy the same. And for so doing this shall be your warrant.

Given at Whitehall the 12th day of December 1654.³³

*Additional Instructions unto General Robert Venables, Edward Winslow,
Daniel Searle, and Gregory Butler, Commissioners, with others appointed to
order and manage the affairs of this Commonwealth in America.*

OLIVER P.

Whereas, some of the ships and vessels employed for carrying victuals and other provisions for the use of the fleet in this present expedition are Dutch bottoms, and we having promised to General Penn for some considerations us thereunto moving, that one of those vessels, shall be delivered unto him after that she is emptied of her provisions, and of no further use for this service in those parts; you are therefore hereby authorised and required to give order and direction, that such of the said victualling Dutch bottoms as the said General Penn shall name unto you, after that she is emptied of her provisions, and no further to be employed in those parts for carrying on this present design, be

³³ Copy in Rawl. MSS., A 328, f. 168-9. This is the Regius professorship.

delivered to the said General Penn, to be disposed of by him as he shall think fit.
December 14, 1654.

"Vera Copia" (signed) R. Venables
Gregory Butler.³⁴

In such fashion the Protector planned the expedition to the West Indies while Blake made his way to the Mediterranean. It may seem strange that even while Cromwell designed this stroke against Spanish America he wrote in friendly terms to the Spanish king and, in a sense, Blake's fleet was welcomed by that monarch, but these ventures, important as they were to England, were part of a larger plan. In the pursuit of the war against Spain, Cardinal Mazarin had turned his eyes toward the Mediterranean. For generations France and Spain had been rivals in the Italian peninsula, where Spain now held the kingdom of Naples. The discontent there with Spanish rule inspired the Cardinal with a plan to attack that kingdom, and he had directed the Duc de Guise to sail from Toulon and Admiral Nieuchèse to make his way from Brest to attack Naples. Longland, the able English agent at Leghorn, who had urged the despatch of an English fleet to the Mediterranean to re-establish the prestige which Badiley's defeat by the Dutch had lost, advised the Protector of Mazarin's designs, and it was no doubt in part, at least, at his instigation that Blake's expedition was undertaken. It had three purposes besides its ostensible object of chastising the Tunisian pirates. It diverted a certain amount of attention from the Penn-Venables enterprise; it threatened to aid the opponents of the French monarchy and of Mazarin, notably the Bordellais and the Rochellois; and it served to establish England as a Mediterranean power prepared to challenge France in that region. It was, therefore, not without reason that Spain welcomed such a diversion against her enemy France; that this new venture enabled Cromwell to put more pressure on Mazarin to conclude a favorable treaty; and that both France and Spain were left in a state of uncertainty as to the friendship or enmity of England and were equally unwilling to provoke further animosity. In the complicated chess game of European politics as then played, this "knight's move" was admirably adapted to checking not only one but two kings and to mask the real purposes of the English revolutionary government.

Nor, while he awaited the report from Blake's expedition and prepared his stroke against Spain in the West Indies, was the Protector neglectful of other matters in the field of foreign policy. He was still putting off Bordeaux,³⁵ who had by this time begun to suspect, somewhat

³⁴ *Memorials of Penn*, ii, 29-30. For the papers presented to Cromwell regarding the West Indies about this time see Thurloe, iii, 59-61 (Gage's report) and *ibid.* pp. 62-3 (Modyford's letter).

³⁵ Bordeaux to Brienne, Dec. 11/21, *ibid.*, p. 17.

belatedly, that the delay was a part of Cromwell's policy and that the conclusion of an Anglo-French treaty might be hastened if it appeared that a rupture of relations between those powers might be imminent.³⁶ Barrière reported to his master, the prince of Condé, that Cromwell had had a conference with Stouppé, his emissary to the western Continental Protestants, and expressed profound respect for the Prince, with a wish that his religious convictions could be "redirected" to coincide with those of the Protector.³⁷ Possibly in anticipation of the signature of a French treaty, Nieupoort was asked to bring before Cromwell a complaint in regard to the omission of the United Provinces in England's recent treaties with Sweden, Denmark and Portugal, and to insist that such omissions be considered in the future.³⁸ Moreover it appeared that, whether or not due to the Protector's intervention, Sweden and Bremen had come to terms.³⁹ In such fashion he amused the continental powers while his real purposes were being carried out elsewhere.

At home, meanwhile, there were various matters of much concern to be disposed of, especially in Scotland and Ireland. The Irish army was reported as loyal to the Protector,⁴⁰ but from Scotland Monk sent notice of a new plot and advised that all letters to Lord Knollys' sister be opened, in spite of which forces, including part of Constable's regiment, were withdrawn.⁴¹ For the rest, the Lord Deputy Fleetwood requested instructions as to the payment of arrears of Sir Brice Cockeran, whom, it appears, the Protector had recommended to the Irish government;⁴² and Dr. William Petty began his great work known as the Down Survey of the forfeited estates in Ulster, Leinster and Munster preparatory to the distribution of the confiscated property among the various claimants, the soldiers, the Adventurers and others.⁴³ At the same time another difficult problem arose in London itself. In January, 1654, Alderman Fowke, who, fifteen years before, had refused to pay tonnage and poundage, had come into sharp conflict with the court and later with the East India Company, and now petitioned against that body for damages.⁴⁴ His petition, which was the latest of several, was referred to the Council committee for the Act settling forest lands,⁴⁵ of which, it would appear, he was then a member. As one of the most influential men in

³⁶ Same to Charost, Dec. 15/25, *ibid.*, ii, 744.

³⁷ Barrière to Condé, Dec. 15/25, *Chantilly Trans.*, Add. MSS. 35,252, f. 227.

³⁸ Thurloe, iii, 21.

³⁹ *Merc. Pol. and Sev. Proc.*, Dec. 14-21.

⁴⁰ Fleetwood to Thurloe, Dec. 15, Thurloe, iii, 23.

⁴¹ Monk to Cromwell, Dec. 16, *ibid.*, p. 28.

⁴² Fleetwood to Cromwell, Dec. 11, *ibid.*, p. 18.

⁴³ Sir Wm. Petty, *Narrative of . . . the Cromwellian survey of Ireland*, ed. T. A. Larcom (Dublin, 1851), pp. 4-30.

⁴⁴ Text of petition in Foster, *Court Minutes*, iv, 288-90.

⁴⁵ *Ibid.*, p. 291.

London, and as a supporter of the existing government, the hearing of the petition was honored by Cromwell's presence on December 14. But the Protector, for whatever reason, probably fear of offending one or both of the contending parties, refused to settle the dispute;⁴⁶ and whether or not it was related to this affair, the East India Company promised a week later to procure an act of ratification from the Lord Protector for the benefit of the Dutch East India Company.⁴⁷

At this distance, with the scantiness of evidence at our command, it is impossible to penetrate the secrets of such commercial transactions, whose inner meaning is obscure enough even in our own day; but it seems probable that the Protector was compelled to walk warily among the disputes of those of his own party, to which, for the moment at least, both Fowke and the leading men of the Company belonged. It is easier to trace proceedings in the Parliament which at this moment directly affected the Protector's personal fortunes. On December 18, in debating the 27th Article of the Instrument, the House added a concluding note by voting a yearly revenue of £200,000 for defraying the charges of the administration of justice and other governmental agencies, including the support of the Protectoral establishment.⁴⁸ On the 19th in the debate of Article 31 — which was voted "in substance" — the Protector was granted considerable properties in the City of London, on the outskirts, and in the country.⁴⁹ To this was added a discussion on the question of assigning half the debts and fines due the state to the Protector, which was referred to a committee.⁵⁰

From this the House — and the Protector — turned to the perennial problem of religion. On that same 19th of December Biddle's printer, Moone, and his publisher, Cottrell, were sent to join the Unitarian champion in the Gatehouse,⁵¹ and the next day a Philip Dancy, who had delivered the condemned book to some members of the House, was given into the custody of the Serjeant-at-Arms.⁵² Whatever the decision of the committee on "damnable heresies" was to be, one at least was thus disposed of. It was far different with another problem of something of the same sort, for at this moment the Anabaptist Simpson, who with Feake had been imprisoned in Windsor Castle since the early days of the Protectorate, broke prison and preached in his old pulpit of Allhallows on

⁴⁶ *Ibid.*, pp. 370, 372.

⁴⁷ *Ibid.*, p. 373.

⁴⁸ Burton, i, cxxii. For memorandum of prospective revenue and expenditure, see *ibid.*, cxx—cxxxiii; for the resolution cp. also *C. J.*, vii, 403; Whitelocke, p. 609, and the various newspapers.

⁴⁹ Burton, i, cxxii; *C. J.*, vii, 404; Whitelocke, p. 610; *Perf. Diurn.*, Dec. 20; *Sev. Proc.*, Dec. 20.

⁵⁰ *C. J.*, vii, 404.

⁵¹ Burton, i, cxxxiii; *C. J.*, vii, 404.

⁵² Burton, i, cxxxv; *C. J.*, vii, 405.

the 17th and 18th of December, and on the 19th was issued Feake's denunciation of Cromwell, *The Oppressed Close Prisoner in Windsor Castle, his Defiance to the Father of Lies*. Simpson was at once seized and brought before the Protector on the 21st, but so far from being daunted, he charged Cromwell with having broken his word "in his promise about tithes to be taken away before Sept. 3." The Protector replied that "he wist not whether he had said so or no," but in any event he was "but one, and his Council alledge it is not fitt to take them away."⁵³ That, like many such conversations between the Protector and the more extreme sectaries, seems to have been a heated exchange of opinions and admonitions, revealed even in the comparatively restrained account of it which remains to us:

They conferred together from 9 to 12, at what time O.P. was called to dine an Ambassador he had invited; when he went out he commanded six dishes of meat might be sent to Mr. Simpson and his friends, whom he tolde he would again conferr with them, which he did from 3 or 7; they took not his dinner, but consulted together how to answer him, for he had challenged them to declare what vowes or declarations he had broken; and being met again they instanced: 1st, In his promise about tythes to be taken away before 3 September, to which he replyed, "He wist not whether he had said so or no? But he heard Mr. Jessey should report it of him, in which he had not done well; and for his part he could not do it, for he was but one, and his Council alledge it is not fitt to take them away." There were further arguings about this. Another thing that he had sworne to maintain the just laws of the Land, but had contrary to law imprisoned J.S., and C.F. I cannot now write the answers. He sayd it was out of love to them to save their lives. They instanced further that he had vowed . . . to the Goverment without king or single person, and now . . . had not only broken those vowes, but also an Act of Parliament that it should be treason soe to do. To which among other things he replied: "Well said, Simpson, thou art plain indeed; not only to tell me I have broken my vowes, but that I am in plain termes A Traitor." He concluded his answer with this, That the Government he had taken and would stand to maintain it. Againe that he had promised Liberty to the Saintes, but now by the Tryers they were thrust out of all publick liberty. Hee sayd the Tryers were set up only to keep out knaves, but should not be used against any Godly men. At parting he gave Mr. Simpson an exhortation to carry soberly, as that should be best for them.⁵⁴

To this the same correspondent added the report of another conversation which throws some further light on the Protector's opinions at this time:

A petition I understand is prepared in the Common Councell of this Citty to encourage the Parliament about settling the Church Government, etc. And I

⁵³ B. T. to ——, *Clarke Papers*, ii, pref., xxxiv-xxxvii (Dec. 21, 1654).

⁵⁴ *Ibid.*, pp. xxxvi-xxxvii.

have it from a good hand that O. P. sent for a certain citizen, desiring a sight of that Petition; which having read, he said, "I think wee must labour to have Collonel Pride's Common Councell again, for these will undo all." One answered, "You (my Lord) called that a Lev[elli]ng Common Councell, but wee shall never have so good againe." He replied "Where shall wee have men of a Universall Spirit? Every one desires to have liberty, but none will give it."⁵⁵

Two days later he had a four-hour conference with Feake and ten of his followers, after which it appears, one of the protesting ministers was returned to prison, the other left at liberty.⁵⁶

The question of toleration by this time had become one of the principal issues of the moment, closely bound up on the one side with Parliament, on the other side with the Protector, and, in a sense, with the whole problem of government. The conversation with Simpson⁵⁷ precisely described the situation, as well as the position of the Protector and his supporters. However much the Parliament might resent the claim that Cromwell had "obtained" power for himself; however much Fifth Monarchists, Republicans and Anabaptists might protest against that claim; however much men like Simpson, Rogers, Feake and Fox might declaim against him for having broken his promises and oaths, it was impossible to shake the Protector's determination to maintain his hold on the situation. Short of death or a successful revolution, he was, and he proposed to be, the master of the nation, with or without the support of even Parliament. That body might do what it could to "limit" his power; it might challenge his authority in details, but neither it nor anything else, short of his own destruction, could much affect the situation. Against him the denunciations of his opponents, like the conspiracies, broke in vain; so long as he had the army behind him — and there was little sign that he had lost any of his hold on it — he was safe. Whatever his private thoughts may have been, his attitude was that of a later statesman: he knew that he could save the nation and that no one else could.

The appearance of Feake's new attack on Cromwell coincided with the publication of *A Message . . . to the Great Turk . . .*, which provided an account of Blake's activities, "extracted out of the Original Papers; Licensed and published by special Authority."⁵⁸ Its opening paragraph revealed that

⁵⁵ *Ibid.*, pp. xxxv–xxxvi.

⁵⁶ — to Clarke, Dec. 23. *Ibid.*, iii, 15, says Simpson was returned to prison; Gardiner, *Comm. and Prot.*, iii, 265 and *Cal. S. P. Dom.* (1655), p. 575 say it was Feake.

⁵⁷ *Ut supra.*

⁵⁸ Thomason Collection, dated, probably in his hand, Dec. 18; cp. Thomason, ii, 94, and Abbott, *Bibliog. of O. C.*, no. 676.

His Highness the Lord Protector having taken into serious consideration, the most deplorable and suffering condition of the poor captivated English at Argier, and other places in Turky, graciously vouchsafed to send an Express to the Governour of Argier, requiring a Restoration of the English captives; and withal, adjuring him to desist from any such future violence, against the English Subjects: This Message was resented with so much terroure and astonishment, that the Governour immediately gave Order, for the release of all the English; and set forth an Edict, or Proclamation, prohibiting the seizing of any English Vessel whatsoever, upon pain of death; and to incur the seizure of their whole Estate, in case of any obstructing, or interposing any Englishman whatsoever, in their free Trade and Commerce; &c.

To that was added an account of Blake's arrival at Calais, his reception there with salutes from the batteries, the "vailing" of the flag by the Dutch admiral, the voyage to Gibraltar and the entertainment of the English there by the Spanish authorities, who expressed their alarm at the arrival of such a force. The publication was well timed. It reassured the London merchants; it demonstrated the interest and the authority of the Protector in foreign affairs and his care for English interests overseas; and indirectly it met and diverted the attacks then being made on him at home. It strengthened his hands at the moment when they needed such aid; and it served, among other things, to divert attention from the destination of Penn's fleet, which, it might be assumed, was as likely to reinforce Blake's demonstration in the Mediterranean as to serve any other purpose.

The Parliament was now approaching the end of its debates on the system of government as set up by the *Instrument*. It is apparent from those debates that it had in view two more or less different problems—the one was Cromwell himself, the other the office of Protector—and they were often not wholly compatible. It seems possible also from some of the steps which it took that it contemplated the removal of Cromwell from the scene of his activities. As a result of the discussions between December 19 and 21 on the question of procedure in the event of the Protector's death during an interval of Parliament, it was resolved that the orders of the deceased ruler be valid until a new Protector was appointed; that his orders should supersede those of his predecessor and that the Council should have full administrative power until a new Protector was chosen.⁵⁹ On the other hand, the Council meeting on the 19th seemed singularly ineffective, dealing as it did only with minor matters of business, chiefly details of Protectoral and Council expenses.⁶⁰ Nor were the documents signed by the Protector of much more general

⁵⁹ *C. J.*, vii, 404-5; *Sev. Proc.*, Dec. 20; *Perf. Diurn.*, Dec. 20.

⁶⁰ *Cal. S. P. Dom.* (1654), p. 413. Rules regulating hackney coaches (cp. Abbott, *Bibliog. of O. C.*, no. 702); goods to be delivered to Protector for household use, Legg to Kinnersley (*Cal. S. P. Dom.* (1654), p. 412); Warrant from Frost to Embree for £2,500 for Council expenses (*ibid.*, p. 458).

interest,⁶¹ and it seems probable that he and the Council were chiefly concerned with the expedition to the West Indies which was about to sail.

But there was one thing more which made the publication of the account of the Blake expedition even more timely. This was the unrest in the British Isles. Apparently under the direction of Col. Robert Overton, there seems to have been another officers' plot brewing against Cromwell. A meeting had been called for New Year's day in Edinburgh. But the agitation was checked by Monk. Overton was arrested and sent to England; his accomplices were court-martialled and cashiered; and Overton himself, though he was never tried, was presently committed to prison.⁶² At the same time his namesake and possible relative, the Leveller-pamphleteer, Richard Overton, who in September had proposed to Thurloe to enter his service as a spy, had come into connection with Sexby, who had turned against Cromwell on his assumption of the Protectorate, fled to Flanders, and entered into conspiratorial activities.⁶³ Connected with them were Royalists like Sir Marmaduke Langdale, who on the outbreak of the Anglo-Dutch war had returned to Holland from service against the Turks.⁶⁴ Among such elements it was proposed to revive the old Royalist-Leveller combination to overthrow the Protector. And it is interesting to note, as well, that on December 23 one of the regicides, Augustin Garland, moved in Parliament that Cromwell be offered the title of king. He was seconded by Henry Cromwell, Sir Anthony Ashley Cooper and others, but when the members of the opposition arrived the motion was withdrawn without a division.⁶⁵ Whether or not it was due to these new clouds on the political horizon, at this moment the Protector issued a series of short, sharp orders increasing the garrisons and supplies in the Tower and Windsor Castle, whose importance was presently revealed in the informations concerning a new plot:

To the Officers of the Ordnance

OLIVER P.

These are to will and require you to deliver unto the Lieutenant of the Tower twenty barrels of powder with bullet and match proportionable, to be

⁶¹ Order for frigate (the *Fagons*) to carry Mr. Gage, minister of Deal, to Portsmouth (*ibid.*, p. 586); order for escort for Marquis Fiesco from Dieppe to England (*Rawl. MSS.*, A328, f. 163); order to Frost, Dec. 21, to pay Roger Cotes £30 (*ibid.*, f. 164); like order of Dec. 19 to Frost to pay Jenkin Lloyd £40 for journey to Ireland (*ibid.*, f. 163); order to customs commissioners for free import of wine for the resident of the duke of Tuscany (*ibid.*, f. 164). On Dec. 21, Cromwell made Unton Croke sergeant (*Dict. Nat. Biog.*, "Croke"), — probably Unton Croke senior.

⁶² *Infra.* p. 577.

⁶³ *Ibid.*, and "Langdale."

⁶⁴ *Clarke Papers*, iii, 15-16 (Walker's newsletter, Dec. 28); *Cal. S. P. Ven.* (1655-6), p. 4 (Paulucci to Sagredo).

⁶⁵ *D.N.B.*, "Overton."

OLIVER CROMWELL

disposed as shall be directed by Us, or Major General Lambert. For which this shall be your warrant.

Given at Whitehall this 18th of December 1654.⁶⁶

To John Barkstead, Esq., Lieutenant of Our Tower of London

OLIVER P.

These are to will and require you to receive into the stores of the Tower twenty barrels of powder with match and bullet proportionable from the Officers of the Ordnance, and to issue out the same or any other powder, match, bullet, guns, and ammunition in your custody as you shall be directed by Us, the Council or Major General Lambert for the use of the forces.

Given at Whitehall the 18th of December 1654.⁶⁷

To the Officers of the Ordnance

OLIVER P.

These are to will and require you to prepare and make ready such ordnance with their equipage as the Lieutenant of the Tower of London shall appoint, and cause the same to be delivered unto him, and you are also to deliver unto him five hundred muskets, and bandoleers, and two hundred pikes, with forty blunderbusses and bandoleers, to be disposed of by him as Major General Lambert shall direct and appoint, for which this shall be your warrant.

Given at Whitehall the 19th of December 1654.⁶⁸

*To our trusty and well-beloved col. Barkstead,
lieutenant of our Tower of London.*

OLIVER P.

These are to authorize and require you forthwith to recruit the four companies under your command in our Tower of London, to the number of nine hundred soldiers besides officers; and for so doing this shall be your warrant.

Given at Whitehall the 20th of December 1654.⁶⁹

To the Officers of the Ordnance

OLIVER P.

These are to will and require you to deliver unto Commissary Thomas Fowler, to be carried to Windsor Castle for the use of the army in England, one hundred and fifty barrels of powder, round shot for demi-culverin half a tun, for mynion a tun, tarred ropes of three inches and a half half a coil, and the like ropes of two inches half a coil, and one bundle of Marlin. For which this shall be your warrant.

Given at Whitehall the 22th of December 1654.⁷⁰

⁶⁶ Rawl. MSS., A328, f. 161.

⁶⁷ Ibid., f. 162.

⁶⁸ Ibid., f. 162.

⁶⁹ Thurloe, iii, 56.

⁷⁰ Rawl. MSS., A328, ff. 164-65. For Barkstead's answer to no. 4 and request for soldiers' pay, Jan. 30, 1654-5, see Cal. S. P. Dom. (1655), p. 27.

Amid these discussions in Parliament as to his position, and the intrigues among the conspirators to deprive him of it, Cromwell proceeded on his foreign policy. By December 21 Blake, having terrorized the Barbary states into concessions to English captives and commerce and frightened the Spanish authorities, had arrived in Leghorn to impress the Italian states with the strength of English sea-power.⁷¹ It was reported that 37 vessels of Penn's squadron were ready to leave Portsmouth; ⁷² and on that day the Protector sent a letter to Penn to conciliate him and in so far as possible remove the ill-feeling between him and Venables, differentiating carefully between the duties assigned to each of these commanders:

For the Right Honourable General Penn

GENERAL PENN,

I hope before this letter comes to your hand that the first squadron will be a good part of their way to the Land's End, and I hope also that you are hastening what you can the remainder of the fleet. Indeed I understand so much of your care and industry in this business that I cannot but acknowledge it, and let you know how much you make me beholding to you, and I pray you, persist therein. I do humbly hope the Lord will have an eye upon this business, and will bless it, and therefore, if it be His business, it will certainly provoke every good heart to eye Him in it, and to be able to overcome everything in a man's own heart that may anyways lie as an impediment in the way, that may hinder the bringing of it to its perfection. And in this I have full assurance of you, notwithstanding I have had some knowledge of a little dissatisfaction remaining with you, which I hope by this time will be removed; and I desire you it may be so. You have your own command, full and entire to yourself, nothing interfering with it, nor in the least lessening you. The command at land is also distinct, and there the general at land must exercise his authority, and thus I trust you will both consent to carry on the public work without hesitation, and God forbid that anything either in you or him should in the least hinder that. I hope it shall not, and know assuredly upon the experience you have had of me, that I shall be as tender of your honour and as sensible to uphold you in your quality as you shall be to desire me. The Lord make your journey prosperous and bless you. And know that I am

Your loving friend,

20 December, 1654.

OLIVER P.⁷³

The expeditions of Blake and Penn had naturally attracted the attention of the envoys of the foreign powers in London and the representatives of France and Spain in particular had made every effort to penetrate

⁷¹ Gardiner, *Comm. and Prot.*, iii, 148, from Weale's Journal, *Sloane MSS.* 1431, f. 17b.

⁷² *Sev. Proc.*, Dec. 20; Firth, *Narrative of Venables*, pp. 5-7.

⁷³ Lomas-Carlyle, Suppl. 96. From the original at Welbeck. In Thurloe's writing, signed by the Protector at the top. Pr. in *Hist. MSS. Comm. Repts.*, *Portland MSS.*, ii, 88.

the secret of Cromwell's designs. Mazarin, who had revived his plan to establish French ascendancy in the Mediterranean, had sent a fleet under Guise to anticipate Blake, if possible, but Guise had failed and left Naples before the English arrived. Blake had delivered Cromwell's letter to the King of Spain when he touched Cadiz and, after some delay, had been paid the usual compliments by the Spanish authorities there. He had made his way to Leghorn, to be advised by Longland, the capable English resident, and to receive the compliments of the Duke of Tuscany who found himself in a difficult position between the ambitions of Mazarin and the presence of the English fleet. Bordeaux in London was urging a treaty with all his skill. He was reported prepared to receive Cromwell's commissioners,⁷⁴ and wrote that the Protector and Parliament hoped for an understanding.⁷⁵ Cardenas had been making every effort to discover the object and the destination of the new expedition, but with no success. He met only with rebuffs from the Protector who said that it was unheard of that any foreign envoy should expect information in regard to the secret designs of the government to which he was accredited.⁷⁶

Nor was the Protector unmindful of other powers. On December 19 he entertained the "vice-king" of Norway at dinner,⁷⁷ and three days later he wrote to Bradshaw, the English resident at Hamburg, enclosing a letter to the English merchants there, in an endeavor to quiet the animosities which had arisen among them, apparently by the Royalist spirit of some of their members:⁷⁸

To our Right Trusty and Welbeloved Richard Bradshaw, Esquire, Resident with the Republic of Hamburgh

OLIVER P.

Right trusty and welbeloved we greet you well.

We understand by your letters that you are resolved to leave the place of the Company residing at Hamburgh, which resolution you have taken (as we are informed) because of the opposition you have found from some of the Company, who yet retain their old spirit of malignancy, and from thence set themselves against those who are for the contrary interest. I have had some account of the proceedings of those men as well from yourself as others, and did hope that the Company here (with whom I spoke concerning those things, and whom I found very sensible thereof) might have been able to have applied

⁷⁴ *Sev. Proc.*, Dec. 19; cp. *Cal. S. P. Ven.* (1655-6), p. 2.

⁷⁵ Dec. 20/30, *Fr. Trans.* R. O.; Nieuport to De Witt, Dec. 29/Jan. 8, De Witt, *Brieven*, iii, 9.

⁷⁶ Cardenas reported this to Bonde; cp. Bonde to Charles X, Oct. 19, 1655, *Stockholm Trans.*

⁷⁷ *Sev. Proc.*, Dec. 14-21.

⁷⁸ Bradshaw's reply, Jan. 9, 1654-5, in Thurloe, iii, 92-3. Letter published Jan. 8, reports many merchants still rebellious and preparing a remonstrance, suggests excluding them from court. Merchants' remonstrance in *ibid.*, pp. 118-20.

some remedy thereunto, but perceiving they cannot I have written the enclosed to the Company which I would have you to deliver to them, and to use your endeavours that it may have its desired effect, And to what I have said there I can only add, that I judge it to be for the service of the state that you continue Deputy of the Company. You will be the better enabled to execute the public charge which is upon you, and to give countenance to the well affected of that Society, whom (I hope) you will always find owned and protected by us; and for yourself we would have you be assured of the good esteem we have of you, and your services, and shall in all occasions manifest the same. And so we bid you heartily farewell. Given at Whitehall the 22th of December 1654.⁷⁹

To Our Trusty and Welbeloved the Deputy and Company of the Merchant Adventurers of England residing at Hamburgh

OLIVER P.

To our trusty and welbeloved the Deputy and Company of Merchant Adventurers of England residing at Hamburgh, greeting:

We are very sorry that after all the means which have been used as well by us as the Company here for putting an end to those unhappy differences which have been amongst yourselves for some time, have had no better effect, but that (as we are given to understand) those dissensions are rather increased than anyways composed. And by what we have heard of those things we cannot judge that they have proceeded from any other root than from that old spirit of Malignancy and dissaffection in some particular persons to the affairs in this nation, against which some of the first disturbers of your peace long since discovered themselves, and are now open actors in opposition thereunto, and who have prevailed so far upon specious pretences of their liberty of choosing their own Deputy (which liberty we shall never abridge them of) as to engage the Company contrary to the course formerly observed for some years together) to make an election of a Deputy to the manifest prejudice, and dishonour of us, and this Commonwealth. However, we were willing to take no notice thereof otherwise than by speaking with the Company here (whom we found very sensible of such proceedings) hoping that they being members of the same body would have been able by their interposition to have given some check to such excesses. But perceiving the breach is like to grow wider, we have thought it necessary to let you know what our apprehensions are in this behalf, and to declare to you that we out of the care we have of the welfare of the Company in general (to whom we owe all just protection) cannot suffer that some discontented persons influenced by our professed enemies should be continued amongst you to the disturbance of your peace, and quiet, making use also of what they do in this kind to the prejudice of the public interest there, And we cannot doubt (notwithstanding past proceedings) but that we shall find the Company ready to join with us herein, and to show their just dislike of those who have engaged them in these counsels, and actions, and give all just countenance to such as have been always well affected amongst you, and this we must tell you We do expect and require

⁷⁹ Copy in Rawl. MSS. A261, ff. 31v-32.

from you, whereby you will consult your own good, and peace, and also let us see the esteem you have of our advice and commands. And so we bid you heartily farewell. Given at Whitehall the 22th of December 1654.⁸⁰

On the same day the Protector wrote to the States General of the United Provinces of the Spanish Netherlands in regard to a petition in some case now unknown,⁸¹ which he apparently enclosed with his letter, asking expedition in the hearing of the appeal:

Oliver Protector of the Commonwealth of England, Scotland, and Ireland, etc., to the High and Mighty Lords, the States General of the United Provinces of Belgium, Greeting:

High and Mighty Lords:

Although We doubt not at all of your singular justice in the investigation and deciding of matters or of Your goodwill toward the citizens of this Commonwealth, and, moreover, promise Ourselves unhesitatingly all that may be expected from the most just rulers and the best friends, still, since it is usual for those who in court do not have confidence in their own cause to contrive delays and to involve and drag out the case by far-fetched quibbles and numerous postponements, We have considered it by no means superfluous, and We likewise trust that it will not be displeasing to You, that We should by this Our letter recommend most earnestly to Your very kind consideration a very just cause. You may learn how the matter stands from the enclosed petition. The case is transferred by appeal, as if by citation of the plaintiff, to the Supreme Council at the Hague, where it is still pending. The defendant, in order to deter the plaintiff from carrying the case farther, will cause all possible delays to be injected. We, therefore, ask Your High and Mighty Lordships that, considering the justice of the case, You may be pleased to interpose Your authority for the expediting of the affair and for the rendering of judgment without harmful postponement. Therefore, let the administration of the property be legally granted to the said petitioner, who should by right of blood succeed to the property of the deceased, or at least let the defendant be obliged to try his case by law within some prescribed time, and refute in the English courts (to which enquiry into this matter appertains) the letter of administration granted to said plaintiff and, if it be in any way possible, invalidate it. Assuredly this service or whatever else shall be done in Our favour for the citizens of this Commonwealth, We shall not be slow to repay to You and to the subjects of Your Commonwealth. For the rest, We pray to the most High and Mighty God to give all prosperity and success to You and Your illustrious Commonwealth. Given from Our palace at Westminster, 22 December, in the year 1654.

Your good friend,

OLIVER P.⁸²

⁸⁰ Copy in *ibid.*, ff. 31-31v.

⁸¹ Perhaps Yeamans and Bowen or the Rycauts, *ut supra*.

⁸² Trans. from copy in Rawl. MSS., A261, ff. 30-30v; Latin original in Algemeen Rijksarchief, St. Gen. 6915, at the Hague; endorsed, "d. 22 10^{br} 1654, r. 21 Martij 1656"; pr. *infra*, App. II (27).

The second Christmas under the Protectorate was, like similar festivals under the Commonwealth, just another day to the revolutionary government. On Sunday, December 24, the great Nonconformist leader, Richard Baxter, delivered the only sermon he was ever allowed to preach before the Protector to a large congregation which included many members of Parliament.⁸³ There was neither any celebration nor even an intermission of business on Christmas itself, nor any reference to the day in the diurnals. As Whitelocke wrote, "The House sat though it was Christmas-Day, and proceeded in their debates touching the government,"⁸⁴ that is to say the discussion of the *Instrument*. Though the members must have been all too familiar with its provisions after the discussions of the preceding months, each article was re-read, with the changes which had been made, and re-voted before it was included in the final bill. It was a long and no doubt tiresome process, and by the end of the week, "having passed divers again," it had only reached the 33rd Article,⁸⁵ when it was interrupted by an extraordinary event.

During the meeting on Saturday morning one John Tawney, known by his apparently self-imposed nickname as "Theauro John," sometime a goldsmith near Temple Bar, appeared at the door of the House to ask permission to deliver a petition.⁸⁶ He was apparently put off, after speaking to a Mr. Hull for assistance, and went away, but returned later with another man. For a time they seemed to have paced up and down the lobby, then Tawney drew his sword on the door-keeper, Cooper, forced his way into the House and attacked, or was attacked by, Major Ennis. He was overpowered and seized, brought to the bar of the House and examined briefly, admitted he was a Quaker, and was committed to the Gatehouse, which at any rate seems better quarters than the tent he was said to have occupied previously in Tower Fields.⁸⁷ His case was referred to the committee which was considering the Biddle heresy, and another committee was ordered to prepare a bill in regard to the Quakers.⁸⁸ Though of no great importance in itself, the Tawney incident was a symptom of the growing unrest of many groups and individuals, and was further testimony, if such were needed, of how close the government was to a serious threat to its existence, as was revealed by the increasing news of conspiracies.

⁸³ F. J. Powicke, *Life of the Reverend Richard Baxter* (L., [1924]), i, 125; *Reliquiae Baxterianae*, i, 205.

⁸⁴ Whitelocke, p. 610.

⁸⁵ *Merc. Pol.*, Dec. 21-28. *Sev. Proc.*, Dec. 30, says Article 23 was the last to be passed. Cp. *C. J.*, vii, 408-10.

⁸⁶ Lomas-Carlyle, ii, 394, n. 2; *Perf. Acct.*, no. 209; *Merc. Fumigosus*, no. 32, says ironically "A plot, a plot, old Nick is dead; John Tawney did him kill." Cp. also vol. i, p. 191 of this work, and note.

⁸⁷ *Sev. Proc.*, Dec. 28-Jan. 5; *C. J.*, vii, 410.

⁸⁸ *C. J.* vii, 410.

It is apparent from every piece of evidence we have that as the end of 1654 approached, Protector and Council were taking the informations in regard to a new effort to overthrow their government with the utmost seriousness. Pains were taken to see that the soldiers guarding Whitehall and its approaches were paid promptly to secure their fidelity.⁸⁹ The "great and bloody plot" which was reported to come to a head on Christmas Day was given full publicity in the newsbooks.⁹⁰ Harrison and Rich were relieved of their commands and Harrison was summoned before Cromwell but released on his assurance that he did not contemplate any action against the government.⁹¹ Suspicious characters were seized. In Lichfield the Protector ordered the apprehension of a Walter Vernon and Edward Browne and the arms sent to them.⁹² In Worcestershire Captain Hope arrested the high sheriff, Sir Henry Littleton, and Sir John Packington and sent them to London.⁹³ In Scotland, Major-General Overton and Colonel Alured were seized.⁹⁴ The newsbooks announced that "There have been divers arms taken, and several persons apprehended upon the plot lately discovered, so that there is cause of strengthening guards, but the particulars are not yet fitt for publication."⁹⁵ Even the foreign envoys voiced their belief that the government was greatly alarmed; Bordeaux that he suspected another plot; Paulucci that Cromwell lived "in fear of his own shadow;"⁹⁶ and the orders of the time indicated there was some substance to the fears:

*To Our trusty and well beloved Colonel John Whitchcot, Governor
of Our Castle of Windsor*

OLIVER P.

Our will and pleasure is that you forthwith deliver unto Commissary Thomas Fowler for the use of the army in England five hundred barrels of powder which was lately sent to Windsor for the use aforesaid, and received into the stores there in the absence of the said Commissary. And for so doing this shall be your warrant.

Given at Whitehall the 25th of December 1654.⁹⁷

⁸⁹ Bordeaux to Mazarin, Dec. 24/Jan. 4, *Fr. Trans. R. O.*, cited in Gardiner, *Comm. and Prot.*, iii, 233 n. 3; *Cal. S. P. Dom.* (1655), p. 8.

⁹⁰ Cp. Abbott, *Bibliog. of O. C.*, nos. 616, 641.

⁹¹ Paulucci to Sagredo, *Cal. S. P. Ven.* (1655-6), p. 4; Nieupoort to States General, Jan. 5/15, *Add. MSS.*, 17677, w. f. 24.

⁹² Thurloe, iii, 68.

⁹³ *Ibid.*, iii, 78.

⁹⁴ *Ibid.*, iii, 65.

⁹⁵ *Sev. Proc., Perf. Diurn.*, Jan. 3.

⁹⁶ Bordeaux to Brienne, Dec. 28/Jan. 7, *Fr. Trans. R. O.*; Paulucci to Sagredo, Dec. 29/Jan. 8, *Cal. S. P. Ven.* (1655-6), p. 4.

⁹⁷ *Rawl. MSS.*, A328, f. 167.

To Col. Barkstead, lieutenant of our Tower of London.

OLIVER P.

Whereas you lately received orders from us to recruit the four companies under your command in our Tower of London to nine hundred private soldiers, besides officers; these are further to authorize and require you to recruit your said company with three hundred more, to make them up in all twelve hundred private soldiers besides officers; and for so doing this shall be your warrant. Given at Whitehall the 25th of December 1654.⁹⁸

To the Officers of the Ordnance

OLIVER P.

These are to will and require you to provide and deliver unto Commissary Thomas Fowler to be carried to Windsor Castle for the use of the Army in England one field carriage, one ladle, and one wadhook for demi-culverin, two field carriages, six ladles and six wadhooks for sakers, four ladles and four wadhooks for minion, with twelve field tampeons, twelve formers, twelve powder horns, six cases of priming irons, fifty beds, and quoynes, one tun of pistol shot, forty dryfats for match and one hundred small boxes for musquet shot; and likewise that you repair for the said service six close wagons now in the custody of the said Commissary with strong wheels, covers, and other appurtenances. And for so doing this shall be your warrant.

Given at Whitehall the 25th of Dec. 1654.⁹⁹

To General Monk

[Substance only]

Secure Col. Overton, about whom information has been received of his disaffection.¹⁰⁰

December 25, 1654

In addition to these precautions, cannon were planted about Whitehall;¹⁰¹ several regiments of horse were quartered in Westminster; and the guards increased there and at St. James's.¹⁰² None the less in the midst of these excursions and alarms the Protector apparently carried on as usual and the work of this week of the Christmas season, apart from these extraordinary precautions, seems to have gone on without interruption. On the 28th the Protector met with his Council, whose business, though varied, was in the main routine, as were the orders which he signed.¹⁰³ The Admiralty Commissioners were ordered to build six

⁹⁸ Thurloe, iii, 57.

⁹⁹ Rawl. MSS., A328, f. 167.

¹⁰⁰ Monk's reply, Dec. 30, in Thurloe, iii, 55. He suspected Overton and had already written several letters to him which were ignored. Col. Lagoe had been sent to secure him.

¹⁰¹ Paulucci to Morosini, Jan. 6/16, *Ven. Trans.*, R. O.; *Clarke Papers*, iii, 16.

¹⁰² *Ibid.*, pp. 16-17.

¹⁰³ Dec. 25, to John Manley to pay Frost £2500 out of his post-office money for the Council's contingent expenses (*Rawl. MSS.* A328, f. 166); Dec. 26, to Wm.

small frigates of twenty guns each; the regiments of Cromwell and Goffe were ordered to be kept at a strength of 800 men each; and a great part of the session was taken up with a lengthy report from Abraham Granger, who had recently been released, accusing certain persons, some of whom Serjeant Dendy had already been ordered to arrest and bring before the Council.¹⁰⁴

That same week was signalized also by the issue of two orders in regard to Irish affairs, in addition to the appointment by the Irish Deputy and Council of commissioners to hear and determine the claims of "transplantables":¹⁰⁵

Oliver P. Whereas we by the advice of our Council have constituted and appointed Richard Pepys, Chief Justice of our Upper Bench in Ireland, Miles Corbett, Robt. Goodwin, and Math. Thomlinson Esqs. to be of the Council to our Deputy of Ireland according to several Instructions given to our said Deputy and Council in that behalf, and finding it necessary for the service of this Commonwealth that some addition be made to the said Council there, we, reposing special trust and confidence in the fidelity, wisdom, and advice of our well-beloved son Henry Cromwell do nominate, assign, and appoint him together with the persons before named to be of the Council to our said Deputy of Ireland....

25 Dec.¹⁰⁶

To the Lord Deputy and Council.

In order to the supplying of Ireland with godly and able preachers of the Gospel, Mr Ambrose Jones is approved of as one able and fit to be sent thither to preach the Gospel, by the Commissioners appointed here for that end; and therefore, for his better encouragement, we desire that you confer the living or benefice, commonly called the parsonage of Kells in the County of Meath, with all the rights and profits formerly thereunto belonging upon the said Ambrose Jones, and, in case the said benefice do not at present yield

Jessop to pay £300 towards the charge of Col. Mackworth's funeral (*ibid.*, f. 170); Dec. 25, pass for John Huet to go abroad (*ibid.*, f. 166); Dec. 26, for five servants of the ruler of East Friesland who had brought a gift of hawks to Cromwell and were now returning with two footmen and six geldings (*Cal. S. P. Dom.* (1654), p. 443); another for Charles Howard, Lord Andover, and servants to go beyond seas (*ibid.*, p. 443); Dec. 28, warrant for a London merchant to export 30 tuns of wine, duty free, for the late ambassador of Portugal (*ibid.*); Dec. 30, order to import 15 tuns of wine, duty free, for the Venetian resident (*Rawl. MSS. A328*, f. 170).

¹⁰⁴ *Cal. S. P. Dom.* (1654), pp. 414-5; *Rawl. MSS. A328*, f. 165.

¹⁰⁵ Dunlop, *Ireland under the Commonwealth*, ii, 469-71.

¹⁰⁶ *Ibid.*, pp. 468-9. Dunlop notes that "the appointment was pursuant to a vote of the Council of State in August that Henry Cromwell should be appointed commander of the Irish army and a member of the new Council. Prof. Firth notices Oliver's reluctance to advance him to this position (*Dict. Nat. Biog.*). Henry landed in Ireland in July 1655." Order of Council Aug. 23; Commission, Dec. 25 (*14th Rept. Deputy Keeper Pub. Records in Ireland*, p. 28).

£100 per annum, you will give order that the said Ambrose Jones do receive out of the Treasury, or otherwise, so much as will make up £100 per annum for his maintenance, according to a late Ordinance to that effect, the said maintenance to begin from the date hereof.

26 Dec.¹⁰⁷

Finally as the last record we have of this eventful year, there came an echo of the preparations made to meet the threat of the plot:

To the commissary general of the musters or his deputy

OLIVER P.

Whereas we have thought fit to add to the six companies under the command of colonel Barkstead in our Tower of London, nine serjeants, eight corporals, and eight drums, you are hereby required from time to time to muster them with the rest of the said forces, that they may receive pay accordingly. Given at Whitehall the 30th of December 1654.¹⁰⁸

While, then, Parliament had been busy doing what little it could to amend the *Instrument of Government* so as to reduce the Protector's powers, it appeared that his opponents there and throughout the British Isles had been no less busy endeavoring to find some means to overthrow him. The process had begun, apparently, with the petition of the seamen and of the three colonels some months before and the conspiracy had paralleled Parliament's discussions. The government had been well advised of the activities of the conspirators. Before Secretary Thurloe had been laid an information that one Dallington had come from the fleet to bring the seamen's petition to the attention of the disaffected elements in the army. He had met a William Prior, sometime a leading Leveller, who advised him of an army declaration like that of the three colonels which was to be posted up in every market-place. Meanwhile there had been meetings in London of various discontented men including Okey, Alured, Saunders, Wildman, Hacker, Admiral Lawson, and apparently Overton, and, it would seem from another information, meetings at Bradshaw's house, attended, it would appear, by "one Eyre," Haselrig, Colonels Sankey and Weaver. There were canvassed plans for a rising; discussion of the regiments that could be relied on to join it; the seizure of Hull, where Overton had commanded; a mutiny; and the seizure of the Protector and his imprisonment in Edinburgh Castle.

¹⁰⁷ Dunlop, *Ireland under the Commonwealth*, ii, 469. Dunlop says that "Ambrose Jones was the son of Lewis Jones, and brother of Cols. Michael and Theophilus and Dr Henry, the Scout-Master. At the Restoration he was on Ormond's recommendation made archdeacon of Meath, and in 1667 he succeeded Thomas Price (elevated to the See of Cashel) as Bishop of Kildare." On Dec. 23, 1654, a warrant by Gualter Frost for £50 was issued to him for his expenses on a journey to Ireland to preach, on a certificate from the Committee for the Approbation of Public Preachers. (*Cal. S. P. Dom.*, 1654, p. 458).

¹⁰⁸ Thurloe, iii, 57,

There was a list of men who could be relied on, including Cromwell's old enemy, Henry Marten, Lord Grey of Groby, Sir George Booth, Scot, and even Colonel Birch, many of whom, it will be noted, were Presbyterians. To this Overton apparently had lent himself even while he seems to have served the Protector faithfully in his command in northern Scotland and warned the conspirators to act only by petition and keep Cromwell informed of their intentions.¹⁰⁹ In connection with the concurrent, if not connected, designs of the Royalists who were conspiring on their own account, and in view of the activities of Parliament in the preceding months which had revealed the opposition of many of its members to the Protectoral system and its head, it is small wonder that the government was alarmed by the accumulating evidence of conspiracy. It is not inconceivable that its doubts of the fidelity of Penn and Venables and their followers may have contributed to their selection for the expedition to the West Indies where, at least, they would be out of the way in case of trouble in the British Isles.

It was becoming increasingly evident that the Protector did not inspire complete confidence in the minds of the foreign envoys in London, though they did not relax their efforts to bend him to their purposes. Paulucci was well aware of the plots and reported that the Protector was prepared to disregard his oath not to change the government, if it suited his purposes. He added that Cromwell had taken advantage of the French failure at Naples to order his commissioners to resume negotiations with Bordeaux.¹¹⁰ Nieupoort wrote that Protector and Parliament were equally in hopes of a compromise in their dispute.¹¹¹ Meanwhile he endeavored to collect the arrears of the pension of the Queen of Bohemia for the benefit of her creditors in Holland¹¹² and discussed the possibility of a maritime treaty with Strickland, Cooper and Jessop.¹¹³ From the Hague came intelligence that the Polish resident, de Bye, had left for England to try to persuade the Protector to send a fleet to Archangel against the Muscovites, to revenge the expulsion of the English who had been banished at the instigation of the Royalist envoy Colepeper some years before,¹¹⁴ when he had appealed successfully for a loan for Charles II.

It was apparently about this time, also, that the Protector appointed Edward Bushell and Alexander Bence to receive payments due from

¹⁰⁹ For details see Gardiner, *Comm. and Prot.*, iii, 226 ff., especially notes pp. 228-9.

¹¹⁰ Paulucci to Sagredo, Dec. 23/Jan. 2, *Cal. S. P. Ven.* (1655-6), p. 2.

¹¹¹ Nieupoort to De Witt, Dec. 29, 1654, De Witt, *Brieven*, iii, 9:

¹¹² Nieupoort to Ruysch, Dec. 22/Jan. 1, Thurloe, iii, 36.

¹¹³ *Ibid.*, iii, 32-3, 37-8.

¹¹⁴ *Ibid.*, iii, 50, 51; cp. also *ibid.*, ii, 731 (King of Poland to Cromwell, Nov. 30); another letter from Antwerp, undated, says the fleet might be sent "to create a diversion" (Macray, iii, 11).

Portugal, on account of damages claimed and apparently allowed by that government for ships and goods seized by Princes Rupert and Maurice, carried to Portugal and there disposed of by the Sea-Royalists.¹¹⁵ It was, too, perhaps about this time that, as the Venetian ambassador to Spain, Quirini, reported later, there came new demands on that power for satisfaction due to English merchants. Quirini added that the Spanish Council decided to send 100,000 reals to the Protector to avoid an English attack on the galleons;¹¹⁶ and it seems evident from these circumstances that Blake's expedition, if it had no other result, was in a fair way to secure at least a part of the expenses of its voyage. But one thing was certain. It was that, taken in connection with that voyage and the expedition of Penn, the government of the Protectorate was determined not only to protect English commerce abroad but to realize as much as possible for its own use from its strength on the sea. It had need for all it could secure by any means, for its expenses were heavy not only for administration and armed forces, but, among other things, for the cost of maintaining its prisoners, Royalists, Scots and now Dutch.¹¹⁷ If it was to go on, it had to find money. The spoil of church and crown and their supporters being virtually exhausted, Ireland a source of expense rather than of revenue and Scotland not much better, taxation having reached its limit, what was there left but overseas adventure? For it is the fate of revolutionary governments to be driven forward inevitably and inexorably by their own actions to bankruptcy or conquest or both in an effort to preserve the power they win.

Moreover with Cromwell's ascent to supreme power discontent found a personal focus for an attack. Not merely had the new Parliament striven to limit its authority but conspirators — revolutionists no

¹¹⁵ Add. Ch. 7924, from R. G. Marsden, *Documents relating to Law and Custom of the Sea*, ii (1916), pp. 22–3. He describes it thus: "This is a long and confused Latin document, with a faulty English translation, signed 'Oliver P.' It begins with long recitals stating that, by a convention of 29th Dec. 1652, it had been agreed that compensation should be made by the King of Portugal; that two English and two Portuguese arbitrators had been nominated to settle these disputes, with power to the Lord Protector to appoint an umpire in case of difference; and that a moiety of the customs, payable to the King of Portugal upon English goods to be carried to Portugal, should be handed over to persons to be nominated by the Lord Protector, to provide for the payment of the sum to be awarded by the arbitration. The document nominates, accordingly, Bushell and Bence as receivers of the moiety, with power to appoint deputies, and to enforce payment."

¹¹⁶ G. Quirini to the Doge, Madrid, March 10/20, 1655, in *Cal. S. P. Ven.* (1655–6), p. 34. Noted as a letter written before Penn's fleet sailed. If it were not for the mention of Rychaut, it might refer to Cromwell's letter of Nov. 30. Cf. also his letter of Aug. 8, *ut supra*.

¹¹⁷ Certified copy of the accounts of the cost of Dutch and Scottish prisoners in 1654, signed by Edw. Whalley and G. Downing, noted in *Am. Bk. Prices Current*, 1906.

less than Royalists — had been busy with designs against his person.¹¹⁸ It was natural that he and his followers should be disturbed by this two-fold attack on their position and that so many steps were taken to make it ineffective. Nor were they reassured by the Parliament's discussion of the *Instrument*, which continued with unabated force. By a vote of December 28 that body had further limited the powers of the Protector by leaving "the points on which the Protector might exercise a negative voice to the absolute discretion of Parliament."¹¹⁹ That body was scarcely less determined not to widen the basis of the franchise. That right which had been limited on November 27 to forty-shilling free-holders and owners of property worth £200 was further limited to deprive the latter class, and efforts to give the vote to ten or twenty-pound copyholders failed, 66 to 67, by the deciding voice of the Speaker. The other activities of the Parliament were no less interesting and important. With regard to the delicate question of the enumeration of heresies, it was voted, 81 to 75, that Parliament should have complete jurisdiction in that matter and that the Protector's consent should not be necessary to bills establishing the limits of toleration. Two days later — though that vote was "vacated" on January 20 — it was decided that the sum for the support of the armed forces by land and sea be set at a million pounds a year,¹²⁰ to be paid out of the Exchequer. Inasmuch as the Exchequer receipts have been reckoned at less than £900,000 a year for this period and the expenses of the armed forces at more than two million pounds,¹²¹ it seems evident that, whether or not it was so intended, the effect of the vote, if carried out, would be to reduce the strength of the army and navy.

That, at least, was not in accord with the ideas of those in power, and taken in connection with other efforts to reduce the authority of the Protector indicated the widening gulf between him and his Parliament. If he and his followers had not actually lost ground, they had certainly not improved their position since the meeting of Parliament, and there are two events at this moment which seem to indicate this. The one is that there now began to appear in the government-controlled press suggestions that the length of the session be calculated in lunar rather than in calendar months, thus shortening the life of the Parliament by nearly two weeks.¹²² The other is that on January 2 Sir Anthony

¹¹⁸ For details see Gardiner, *Comm. and Prot.*, iii, 226 ff., especially notes, 228-9.

¹¹⁹ *Ibid.*, p. 234; *C. J.*, vii, 408, states merely that "The Second Amendment, in these words, *viz.* 'except in such matters wherein the single Person is hereby declared to have a Negative,' was agreed unto."

¹²⁰ *C. J.*, vii, 411-13; Gardiner, *Comm. and Prot.*, iii, 237 and notes.

¹²¹ Cp. W. A. Shaw in *Camb. Mod. Hist.*, iv, 456 ff.; and Ashley, *Fin. and Comm. Hist. of Protectorate*, p. 27 and notes.

¹²² *Perf. Acct.*, Jan. 5; *Merc. Pol.*, Jan. 6.

Ashley Cooper absented himself from the Council to which he did not return during the remainder of the Protectorate. For that defection various explanations have been offered. It has been noted that the first day of his absence from the Council was that on which the House refused to vote the government full supply. Ludlow declares that Cooper's retirement was due to his having been refused the hand of Mary Cromwell in marriage.¹²³ Wood, on the contrary, repeating current gossip, wrote that Cooper was, in effect, dismissed, or, as he puts it, "quit . . . out of his Council."¹²⁴ It has been further suggested that Cooper's defection was due to "the rising favor of Lambert" and to his belief that no government without King and Lords could ever be permanent.¹²⁵ It is possible that all of these considerations entered into Cooper's decision, and it is certain that there was no man in his generation in England who had keener foresight in political affairs, or who trimmed his sails so successfully to meet the changing winds of political fortune. His withdrawal from the Council may have been due to personal motives, but it was, at least, a portent, not lessened by the fact that, though in December he had supported a proposal in the House to offer Cromwell the crown, he now went into opposition and introduced a resolution making collection or payment of revenue without Parliamentary grant illegal.¹²⁶ That, again, it was charged in later years, was due to his disappointment in being refused the hand of Cromwell's daughter, so that "he joined with the Cabale regiment against the Protector and was revenged on the Protector's son."¹²⁷

In the midst of these distractions the Protector and his Council carried on the affairs of state as usual, and there is no indication in the minutes of their proceedings of the uneasiness and disturbances outside. They considered the petition of Lady Margaret Livingston and others for continuance of their allowances;¹²⁸ they arranged for the entertainment of the Genoese ambassador;¹²⁹ ordered investigation of Granger and others in custody for forgery;¹³⁰ read and referred to the Treasury commissioners the Admiralty commissioners' estimates for the charge of the navy;¹³¹ and noted the Protector's approval of four orders presented by Jessop three weeks earlier.¹³²

¹²³ Ludlow, *Memoirs*, i, lxxi (Errata).

¹²⁴ *Athenae Oxoniensis*, ii, 721.

¹²⁵ Cp. L. F. Brown, *The First Earl of Shaftesbury*, pp. 62 ff.

¹²⁶ *Ibid.*, citing *Rawl. MSS.*, A31, f. 364.

¹²⁷ Letter . . . touching the Lord Shaftesbury . . . Jan. 5, 1682-3, in *Parl. Hist.*, xxiii, App., p. 374.

¹²⁸ *Cal. S. P. Dom.* (1655), p. 1. Cp. also *ibid.*, pp. 23-4 for another petition.

¹²⁹ *Ibid.*, pp. 2, 575, 601.

¹³⁰ *Ibid.*, pp. 3-5.

¹³¹ *Ibid.*, p. 2; Thurloe, iii, 64.

¹³² *Cal. S. P. Dom.* (1655), p. 4. According to John Gauden, a declaration was

Of this first week of January, 1655, but one document signed by the Protector seems to have survived, and that is interesting only for the signatures of what may be called Oliver's official family, including John Thurloe, John Milton, Henry Scobell, William Jessop, Gualter Frost, Philip Meadows, and some twenty others:

To Gualter Frost, esq. Treasurer for the Council's Contingencies

OLIVER P.

These are to will and require you out of such moneys as are or shall come to your hands for the use of the Council to pay unto the several persons on the other side endorsed, the several sums to their respective names mentioned, making in all the sum of thirteen hundred twenty three pounds, twelve shillings, nine pence half penny, being so much due unto them for their salaries, for one quarter of a year, from the first day of October to the 31st of December last inst: — being 91 days, Of which you are not to fail, and for which this shall be your sufficient warrant.

Given at Whitehall this first day of January 1654/5.¹³³

Nor was there any indication in other directions that Cromwell and his advisers were much influenced by the plots then being brought to light. Whitelocke interceded for the Merchant Adventurers in Hamburg, concerning whom, it was reported, Cromwell had been misinformed.¹³⁴ At the Hague, the States General suspended Beverning from his post as Treasurer General of the United Provinces until he should justify the secret agreement with Cromwell to exclude the House of Orange from office.¹³⁵ Thence it was reported that the Dutch were disturbed at a rumor of the Protector's intention to dissolve the English East India Company and declare navigation and trade to the East Indies open to all merchants of that nation.¹³⁶ From the Mediterranean came news that the French commander de Nieuchèse, instead of aiding the Duke of Guise in his ill-fated expedition of seizing the English ships which came within his reach, drank the healths of the Protector and of Blake and announced that the French fleet had been ordered to treat the English as friends.¹³⁷ Bordeaux again sought through Thurloe an

issued on Jan. 1 depriving certain ministers of all public employment; see his *Petitionary Remonstrance*, presented Feb. 4, 1654-5, published in 1659 (Abbott, *Bibliog. of O. C.*, no. 1004).

¹³³ On the reverse side is John Thurloe's receipt for £200, dated Feb. 13, and on the same sheet the signatures of 29 others including Thurloe, Hen. Scobell, John Milton, W. Jessop, Ph. Meadowe, Gualter Frost, Wm. Seymour. Photostat in G. B. Smith, *Hist. of Parliament* (1892), I, opp. p. 460. Cal. in *Hist. MSS. Comm. Rept.* 8, App. III, p. 6a (*Stowe MSS.*).

¹³⁴ Whitelocke, p. 610.

¹³⁵ Sagredo to Doge, Jan. 2/12, *Cal. S. P. Ven.* (1655-6), p. 7.

¹³⁶ Thurloe, iii, 80.

¹³⁷ Sagredo to Doge, Jan. 2/12, *Cal. S. P. Ven.* (1655-6), p. 6.

audience with the Protector,¹³⁸ but in the Hague the French resident, Chanut, heard that Bordeaux had left London and was pursued to Gravesend by Cromwell's messenger who asked him to return.¹³⁹ Meanwhile the Genoese ambassador, Fiesco, arrived in England, to be met by the Protector's barges and coaches and conducted to the house of Sir Abraham Williams in Palace Yard in Cromwell's own coach, followed by that of the French ambassador. On the 6th of January, Fiesco had an audience with the Protector in the Banqueting Hall, where he expressed his admiration for the Protector and his state's desire for peace, union and commerce with England, to which Cromwell replied "briefly and seriously with signs of gratification and friendship."¹⁴⁰

From these straws of information and rumor it began to seem that it was possible to see in which direction the wind was blowing so far as the development of the Protector's foreign policy was concerned, that it was, in fact, turning away from Spain and toward France. This was emphasized by a letter of January 3 from the Protector to Cardenas, again requesting that the debts of the Spanish crown to the Rychaut heirs be settled under penalty of granting them letters of reprisal against Spanish commerce, against which, on January 16, Cardenas entered his strenuous protest:¹⁴¹

[*To Cardenas*]

Sir,

By our former letters we represented to you the case of the sons and executors of Sir Peter Ricaut deceased, concerning a debt owing the said Sir Peter by his majesty the now King of Spain; and moved your endeavours for obtaining to them satisfaction according to justice. But no satisfactory answer being returned, and application being made unto us by the said parties for letters of reprisal, as the only remedy that is left them in the case; we thought fit to consult our council thereabouts, who putting the same into a way of examination, it appears to us by a report, that his said Majesty by his Schedule Royal, signed by his own hand, and dated at his court at Aranjuez the 12th of

¹³⁸ Bordeaux to Thurloe, Jan. 4/14, Thurloe, iii, 77.

¹³⁹ Chanut to Bordeaux, Jan. 5/15, *ibid.*, iii, 81.

¹⁴⁰ Paulucci to Sagredo, Jan. 6/16, *Cal. S. P. Ven.* (1655-6), p. 9; same to same, Jan. 14/24, *ibid.*, p. 13; Datin to Bonneau, Jan. 4/14, Thurloe, iii, 78; Nieupoort to States General, Jan. 12/22, *ibid.*, iii, 101; *Seev. Proc.*, Jan. 4-11; *Perf. Diurn.*, Jan. 6.

¹⁴¹ Cardenas to the Protector, Thurloe, iii, 113-14; cp. Quirini to Doge, March 20, *Cal. S. P. Ven.* (1655-6), p. 34. Mrs. Lomas dates Cromwell's letter to Cardenas Jan. 3, 1653-4, but it is obvious from Thurloe's date and from the circumstances that the date should be as given here, 1654-5. There is, in fact, some confusion about this correspondence. Cardenas wrote Thurloe on Jan. 6 and to the Protector on Jan. 18 mentioning Cromwell's letter to him of Jan. 23, according to the documents in Thurloe. The matter is of no great importance but has occasioned some discussion, though the main facts of the situation seem clear enough. Cp. Thurloe, iii, 75, 86, 113-14; *Cal. S. P. Dom.* (1655), pp. 32-3.

April 1652, acknowledgeth himself indebted to the said Sir Peter Ricaut in the sum of 23,128,408 maravedis of silver, [together with damages from the year 1647, which being cast up till the date of the said report doth clearly amount to 23,073 l. sterling,] being for several sums of money acknowledged by the said King to be lent by sir Peter Ricaut to his Ambassadors here in England for his Majesty's service, and for a ship laden with fish, which had been wrongfully taken from him, and sold in Cartagena by his Majesty's order, and for other considerations in the said Schedule particularly expressed; by which Schedule Royal his Majesty doth give command to the officers of his royal treasury, to make effectual and speedy payment of the said money, giving for reason, that it appeared to his majesty by report of his council, that his royal treasure was condemned by a sentence of the 25th of June 1647, for payment of the debts within nine days after the said sentence passed. We find also, that for sixteen years last past all fit endeavours have been diligently used for obtaining of satisfaction, which (as also two journeys made purposely in this behalf to the court of Spain, by the eldest son of the said Sir Peter, at 1000 l. sterling charge) have proved ineffectual; so that upon the whole matter justice hath been duly demanded, and is yet delayed. And in consideration thereof and of the fruitlessness of our own mediation by our said letters, it hath been insisted upon, that letters of reprisal should be granted to the said sons and executors against the king of Spain and his subjects, for satisfaction of the said debt together with damages and expences sustained through the detention thereof. The satisfaction we have therein received as to the state of fact might be a sufficient foundation for our resolution forthwith to grant the petitioners letters of reprisals; yet out of our very great willingness to decline extraordinary ways, if the parties concerned may be assured in an ordinary way to receive justice, and out of our affection to his majesty of Spain, we have determined once more to represent this matter to your excellency, with our serious desires, that you will take such a speedy and effectual order therein, as may satisfy and secure the petitioners to receive their just right, wherein we shall expect your speedy and positive answer, that thereby the inconvenience that may ensue an extraordinary course, which our respect to common justice, and to the long suffering of our people will otherwise necessitate us unto, may be prevented; wherein we shall take much contentment, as most suitable to the desires we have to maintain a good correspondence betwixt the two nations,

OLIVER P.¹⁴²

3 January, 1654-5
For his Excellency the Lord Ambassador
from the King of Spain.

At home meanwhile two matters pressed upon the Protector and the Council. The first was the question of transplantation in Ireland, which had now reached the stage of pamphlet discussions. On the one hand Vincent Gookin and Dr. Petty entered the fray with their tracts in favor of the measure, *The Author and Case of Transplantation Vindicated*

¹⁴² Thurloe, iii, 75; copy in *Rawl. MSS.*, A261, ff. 32-33. See also July 4, 1654, and April [30], 1655.

and *The Great Case of Transplantation Discussed*; opposed two months later, on March 9, by Richard Lawrence in his *Interest of England in the Irish Transplantation stated*; and it is doubtful whether the champions or the antagonists made out the worse case for the unfortunate victims of this policy. On his part, Fleetwood acknowledged the order to send 3,000 men to Liverpool, though he protested the danger to the English position in Ireland at the weakening of her forces there at this critical time.¹⁴³ But neither his protests nor those of the opponents of transplantation availed, and the government went on with its policy of making Ireland, like New England, an English colony.

The question of the plots was still disturbing the government. In this first week of 1655, various arrests, examinations and informations absorbed much of the attention of the authorities. A long list of insignificant men was examined; on the first day of the year John and Thomas Skinner, gunsmiths; Thomas Woral; Fryer, a ship-chandler; Edmund Custice; Henry Croone; and a Major Henry Norwood, who seems to have been most deeply implicated.¹⁴⁴ On the 3rd came the examinations of James Lloyd and Robert Wooden, both of whom admitted knowing one of the suspects, Henry Littleton; and Richard Glover, who acknowledged knowing Major Norwood.¹⁴⁵ Among Colonel Overton's papers was found a poem deriding Cromwell as "but the ape of a king," which was sent to the Protector by Monk who announced that Overton was in the custody of Captain Harley, "whom I have ordered to bring [the] Colonel into the Hope."¹⁴⁶ In Coventry, Edward and Walter Vernon and Mr. Browne were noted as having been sent to the "martial general," and further examinations and search for arms were being undertaken.¹⁴⁷ Under date of January 5 was a statement of the goods brought to Bromsgrove from London, and of the persons and the purposes for which they were intended,¹⁴⁸ together with a second examination of Edmund Custice.¹⁴⁹

Nothing is more unsatisfactory than an attempt to unravel a plot, especially at the distance of two centuries. It is apparent from the few and disjointed pieces of evidence we have that the persons involved in

¹⁴³ Fleetwood to Thurloe, Jan. 3, Thurloe, iii, 70. Cp. Gardiner, *Comm. and Prot.*, iv, 101-2.

¹⁴⁴ Thurloe, iii, 65-6.

¹⁴⁵ *Ibid.*, iii, 70-5; cp. Gardiner, *Comm. and Prot.*, iii, 233, for arrest of Norwood, Thomas and Custice.

¹⁴⁶ Thurloe, iii, 75-6 (poem); *ibid.*, pp. 76-7 (Monk to Protector, Jan. 4); *ibid.*, p. 111, written by Overton, would indicate that he came to London of his own free will.

¹⁴⁷ Geo. Palmer to Thurloe, Jan. 5, *ibid.*, p. 82.

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*, pp. 82-3.

these investigations, except perhaps for Colonel Overton, were only the "outboughs" of whatever design there was, if, indeed, there was a design to overthrow the Protector. It is no less evident that some of the testimony was the product of fear, if not of force; that some was due to the imaginative efforts of government agents or professional informers; and that of the rest there was not enough to serve as a foundation for the apprehension of any men of much consequence. It has, indeed, been questioned whether the whole design was not a device of the government itself, and the prompt report of the whole matter in the government-controlled press¹⁵⁰ indicates that, whatever the truth or falsehood of the evidence, the administration used it to the full in an endeavor to bolster up its own position. Whatever men in general desire of government, the last thing they are anxious to have is upheaval. For the most part they prefer to suffer the evils they know than to fly to those they know not of, and it is on this inertia that even revolutionary governments reckon, and usually with success.

Far more definite than these rumors of plots and disaffection were the concurrent activities of the Parliament which had done what it could to express its independence of the Protector. On January 8 that body refused by a vote of 118 to 71 to add the words "in a single person and Parliament" to the title of the revised *Instrument of Government*, which was left to read "An Act declaring and settling the Government of the Commonwealth of England, Scotland and Ireland, and the Dominions thereunto belonging,"¹⁵¹ and Whitelocke was moved to note the general tendency of the House to disregard the wishes of the Protector.¹⁵² This was further evidenced by a whole day's debate and a vote of 107 to 95 against a conference with the Protector on the subject of the bill before its final adoption, thus revealing the disinclination of Parliament to co-operate with the Protector or give him additional powers.¹⁵³ On January 12, it was decided that Parliament and Protector be allowed to enumerate "damnable heresies," though Parliament apparently retained the sole power of drawing up measures to restrain atheism and like abominations.¹⁵⁴ An additional clause to the effect that "nothing expressly contained in this act of settlement, shall be altered, without the consent of the Lord Protector and Parliament," was referred to a committee but accepted only with the addition of the words "repealed or suspended;"¹⁵⁵ and a final check on Cromwell's authority was added by a resolution that he should not have the power to exempt from ex-

¹⁵⁰ *Sev. Proc.*, Jan. 11-18; *Merc. Pol.*, Jan. 4-11.

¹⁵¹ *C. J.*, vii, 413; *Perf. Diurn.*, Jan. 8.

¹⁵² Whitelocke, p. 610.

¹⁵³ *C. J.*, vii, 414; Burton, i, cxxvii; *Perf. Diurn.*, Jan. 13.

¹⁵⁴ *C. J.*, vii, 414.

¹⁵⁵ *Ibid.*, vii, 415; *Perf. Diurn.*, Jan. 13.

amination or sentence any councillor or minister of state, judge or officer accused of mal-administration.¹⁵⁶ In sum, Parliament proposed to assert, in so far as possible, its claim to be the real representative of the people, equal or superior to the executive as expressed in the Protector.

Beside the activities of Parliament in this second week of 1655, those of the Council, as recorded in its minutes, were insignificant. It is at least conceivable that those minutes do not record the real concerns with which the Council was interested, for it met frequently. Cromwell was present on the 8th — for which meeting there are no minutes.¹⁵⁷ On the 10th it authorized a warrant to Maidstone for £16,000 for a quarter's allowance for the Protectoral household.¹⁵⁸ On the 11th it decided that Kinnersley be appointed keeper of the wardrobe despite Legg's warrant for that position from the King; that the Protector should fix the salary of that office; that Legg was to turn over his quarters to Kinnersley in a fortnight; and that Montagu should present these proposals to the Protector.¹⁵⁹ Besides these details, the incorporation into its records of the rules made by the London authorities for the regulation of hackney coaches,¹⁶⁰ and a vote to restore the Dutch ships taken to Cornwall by English privateers,¹⁶¹ the Council minutes include nothing of any consequence.

This does not mean, however, that its members were either idle or unconcerned over the situation of the country. This week saw the continuation and intensification of government efforts to uncover the plots against it. The earlier examinations had established the fact that arms were being distributed throughout England, bought largely under the pretext that they were to go to Virginia; that Major Henry Norwood and Edmund Custice were apparently the chief agents in the purchase and distribution, assisted by Richard Glover, Rowland Thomas and Henry Thomas.¹⁶² Glover's examination in particular revealed that the Virginia design was merely a cover for a plan to bring Charles II back by means of simultaneous risings throughout England after Parliament's dispersal, and of the delay in its execution owing to the fact that the Protector "had some notice of the design."¹⁶³ The examination of various carriers implicated Sir Henry Littleton and Sir John Packington of Worcestershire; Walter Vernon, his nephew, Edward Vernon; and Edmund Browne of Coventry, who were arrested and their houses searched.¹⁶⁴ Further testimony seemed to confirm earlier infor-

¹⁵⁶ *C. J.*, vii, 415; *Sev. Proc.*, Jan. 13.

¹⁵⁸ *Ibid.*, p. 14.

¹⁵⁷ *Cal. S. P. Dom.* (1655), pp. xxv, 6-7.

¹⁵⁹ *Ibid.*, p. 15.

¹⁶⁰ *Ibid.*, pp. 16-17.

¹⁶¹ *Sev. Proc.*, Jan. 11; Thurloe, iii, 101-2 (*Nieupoort to Ruysch*, Jan. 12/22).

¹⁶² *Ibid.*, pp. 65-6.

¹⁶³ *Ibid.*, pp. 72-5.

¹⁶⁴ *Ibid.*, p. 78; Dec. 31, Littleton and Packington seized, but no arms found; Jan. 2, Vernon and Browne seized and examined (*ibid.*, p. 68); Jan. 5, sent to martial general (*ibid.*, p. 82).

mations against Rowland Thomas, known also by other names, including "Tomlyns," and his arrest was ordered,¹⁶⁵ while a warrant was issued to the keeper of the Gatehouse for Henry Thomas on suspicion of high treason.¹⁶⁶ On January 9 the news-books record seven persons committed to the Tower, one to St. James's, two to Whitehall and three to Lambeth House.¹⁶⁷ On the 12th Walter Vernon and Edmund Browne were examined but disclaimed any knowledge of the arms or the "design."¹⁶⁸ Though the agent Bampfield reported the discovery of the plot, that parts of it had been brought to light "and more . . . in the Protector's knowledge then he yet reveales,"¹⁶⁹ the government had not yet got to the bottom of the matter and Cromwell was reported as concerned and apprehensive "so that the hours usually devoted to repose are troubled and broken by his anxieties."¹⁷⁰

His troubles and anxieties were not limited to the revelations of the plot. From Bradshaw, the Hamburg agent, came further complaints of the disaffection of the Merchant Adventurers there.¹⁷¹ The East India Company desired a new charter, but the committee appointed to consider its advisability seemed afraid to offer any opinion for fear of the influential London merchants who opposed it and held out for regulated trade in place of the chartered monopoly of the Company.¹⁷² Bordeaux requested an audience, to take his leave, complaining that though the commissioners were willing to accept the terms of a treaty, the Protector seemed to prefer continuance of discord with France.¹⁷³ Even in distant Virginia the Protector had to use his influence to intercede for Lord Baltimore whose territories were being invaded by Virginians, to whose governor Cromwell now wrote to check this intrusion:

To Richard Bennet, Esq., Governor of Virginia: These
SIR,

Whereas the differences betwixt the Lord Baltimore and the inhabitants of Virginia, concerning the bounds by them respectively claimed, are depending before us and our Council, and yet undetermined; and that as we are credibly informed, you have, notwithstanding, lately gone into his plantation in Maryland, and countenanced some people there in opposing the Lord Baltimore's officers; [whereby, and with other forces from Virginia, you have much dis-

¹⁶⁵ Jan. 8, *ibid.*, p. 87; cp. also *ibid.*, pp. 87, 89-91, 95, and *Cal. S. P. Dom.* (1655), p. 575.

¹⁶⁶ *Ibid.*

¹⁶⁷ *Merc. Pol.*, Jan. 4-11; *Perf. Diurn.*, Jan. 10.

¹⁶⁸ Thurloe, iii, 104-5.

¹⁶⁹ *Ibid.*, pp. 87-8.

¹⁷⁰ Paulucci to Sagredo, Jan. 14/24, *Cal. S. P. Ven.* (1655-6), p. 12.

¹⁷¹ Thurloe, iii, 92-3.

¹⁷² Foster, *Court Minutes*, v, 3.

¹⁷³ Bordeaux to Chanut, Jan. 12/22, Thurloe, iii, 103.

turbed that Colony and people, to the endangering of tumults and a great deal of bloodshed there, if not timely prevented:

Therefore, at the request of the Lord Baltimore, and divers other persons of quality here, who are engaged by great adventures in his interest there], for preventing of disturbances or tumults, we do will and require you, and all others deriving any authority from you, to forbear disturbing the Lord Baltimore, or his officers or people in Maryland; and to permit all things to remain as they were there before any disturbance or alteration made by you, or [by] any other upon pretence of any authority from you, till the said Differences above mentioned be determined by us here, and that we give farther order therein.

Whitehall.

12th January, 1654[–5]

We rest your loving friend,

OLIVER P.¹⁷⁴

On the other hand, Monk reported that all but two of Middleton's adherents in the Highlands had capitulated and that he awaited Cromwell's orders with respect to a treaty.¹⁷⁵ From Dalby, Sheffield and Cockran reported on January 9 some insolences and disturbances of the Quakers, who assembled to the number of "one or two thousand," having with them their printer, Giles Calvert.¹⁷⁶ They had apparently been summoned to their rendezvous by George Fox, who noted that there were soldiers there but the meeting was quiet — and the soldiers did not meddle.¹⁷⁷ Doubtless in connection with this, Cromwell wrote a letter which "much refreshed . . . [the] spirits" of his Quaker correspondents.¹⁷⁸ But it may be noted that within a month he issued a proclamation which under the innocuous phrase of "prohibiting the disturbance of Ministers and other Christians in their meetings and assemblies,"¹⁷⁹ was, in fact, directed against the activities of militant Quakers in breaking up the meetings of other sects. It was under such circumstances as these that he wrote to his friend Lieutenant-Colonel Wilks in a strain which reveals how deeply he felt the difficulties and responsibilities of the situation in which he found himself:

¹⁷⁴ Lomas-Carlyle, CXCVI, from Thurloe, i, 724. "The words in brackets underlined, apparently for deletion, and the following six words, preceded by 'Therefore,' entered in margin. . . . The signature only is Oliver's, signature and sense. Thurloe has jotted on the back of this: 'A duplicate also hereof was writ, signed by his Highness,' [Draft, much corrected. Signature not Oliver's]" (Lomas-Carlyle notes). Answered June 28, Thurloe, iii, 590. Cp. letter Sept. 26, 1655 to Comm. of Maryland.

¹⁷⁵ Monk to Thurloe, Jan. 11, Thurloe, iii, 99.

¹⁷⁶ *Ibid.*, p. 94. Cromwell replied on Jan. 13 and they wrote again on Jan. 21 (*ibid.*, p. 116).

¹⁷⁷ Fox's *Journal*, (ed. Norman Penney, Camb., 1911), i, 159.

¹⁷⁸ Cp. above, note 176.

¹⁷⁹ Cp. Abbott, *Bibliog. of O. C.*, no. 781; and below, Feb. 15.

[*To Lieut.-Col. Wilks.*]

SIR,

I received your letter, and as to the part which concerns the collection for Marlborough I shall speak with Major Haines¹⁸⁰ thereabout, by whom I expect to know what Colonel Read hath done thereupon.

The other part [of your letter]¹⁸¹ is full of very loving and kind expressions of the heartiness of your affection to me, and of your tenderness and sensibleness of the burden of my condition; and truly it was to me very seasonable, because if I mistake not, my exercise of [that] little faith and patience I have was never greater; and were it not that I know whom I have believed, the comforts of all my friends would not support me, no not one day. I can say this further to you, that if I looked for anything of help from men, or yet of kindness, it would be from such as fear the Lord, for whom I have been ready to lay down my life, and I hope still am, but I have not a few wounds from them, nor are they indeed, in this sad dispensation they are under (being divided in opinion and too much in affection ready to fall foul upon one another, whilst the enemy to be sure unite to purpose to their common destruction), in a capacity to receive much good or to minister good one to another, through want of communion in love; so that whosoever labours to walk with an even foot between the several interests of the people of God for healing and accommodating their differences is sure to have reproaches and anger from some of all sorts. And truly¹⁸² this is much of my portion at the present, so unwilling are men to be healed and atoned; and although it be thus with me, yet the Lord will not let it be always so. If I have innocency and integrity the Lord hath mercy and truth, and will own it. If in these things I have made myself my aim, and designed to bring affairs to this issue for myself, the Lord is engaged to disown me; but if the work be the Lord's, and that they are His purposes which He hath purposed in His own wisdom, He will make His own councils stand; and therefore let men take heed lest they be found fighters against Him, especially His own people. I hear things are very troublesome through the discontent of some amongst you, who will quickly be made manifest by their fruits. And I am persuaded the Lord will not suffer His people always to be deceived by such pretenders and pretences to righteousness and justice, and care not how unjustly and unrighteously they walk, not to bring forth righteousness and justice, as they pretend, but most abominable unrighteousness, wickedness, impiety, and confusion upon all the world¹⁸³ God hath wrought in the midst of us. I do verily suspect most guilty herein, because I find men acting here upon the same principles who have conceived to themselves also great hopes from the divisions and discontents amongst you, who have had such expectations from some notable design to be acted in Scotland from some considerable person there, that they have formed their work here of like wickedness and confusion to be contemporary here; and truly it is thus they are exciting all discontented humours and persons to stir, and to go into arms, having framed their declarations whereon they have a

¹⁸⁰ Or "Baynes."

¹⁸¹ These words omitted in one of the texts.

¹⁸² "surely" in the other text.

¹⁸³ *Sic*, but perhaps should be "work." (Lomas-Carlyle notes.)

singular compliance with the malignant party, as their declarations will manifest, wherein they gratify them beyond what ever was done for them, by which the cavalier party is so encouraged that they do account this spirit, principle, and motions of these men, as the likeliest way to bring them into their former interest that ever yet they had, and of this we have a very full discovery.¹⁸⁴ Besides we find that divers are very highly acting that interest, and are preparing great quantities of arms to that purpose, of which through the goodness of God we have made a full discovery, and the business is become so naked and open, that indeed if all the people of God had one heart and spirit, yet it would be all little enough to man's judgment to perserve the interest of the people of God. We have apprehended divers persons of quality who have commissions from Charles Stuart and are possessed of many arms to carry on their work, and in the discovery hereof the Lord hath appeared very gracious to us. The Lord stablish, strengthen, and keep your minds entire, and make His people of one heart, and give them one lip; and I pray you shew your fidelity in standing by and sticking to your honest General Geo. Monck, who is a simple-hearted man, and as you have opportunity exhort all to do the same; and let the honest officers be as diligent to make peace and keep it there as wicked men who are the instruments of Satan are busy to bring in confusion. I commit you to the Lord, and rest,

Your loving friend,

[Jan. 1654-5]

OLIVER P.¹⁸⁵

Few of Cromwell's utterances, spoken or written, are more significant than this letter to Wilks, revealing as it does not only his appreciation of the difficulties and dangers by which he was surrounded but his incapacity to conceive that any of them were attributable to circumstances for which he was himself largely responsible. Even Professor Gardiner is moved to observe that the discontent with the Protectorate was caused by "a common detestation of a government based on the power of the sword." That this was necessary if Cromwell's authority was to survive did not alter the fact of its unpopularity even among many of his former supporters. From the day of his accession to power to the day of his death there was never a moment when his position, even his life, was not threatened, not only by Royalists but by those whom he had led to victory

¹⁸⁴ Gardiner says of this passage: "Obviously Oliver had failed to discern that this extraordinary phenomenon was to be explained not by the sinfulness of mankind, but by a common detestation of a government based on the power of the sword" (*Comm. and Prot.*, iii, 248-9).

¹⁸⁵ Lomas-Carlyle, Suppl. 98, from *Clarke Papers*, ii, 239, with note: "There are two copies of the . . . letter among the *Clarke MSS.* Neither is dated, but one is headed, 'Letter to Lieut.-Col. Wilks.' From its position amongst the other letters, Mr. Firth believes that it should be dated between January 14 and 18, 1654[-5]. . . . So late as the May of this year 1655, the inhabitants were petitioning that the money which should have gone to their relief was still detained in the hands of the collectors. See *Cal. S. P. Dom.*, 1655, p. 176. Of Wilkes, Mr. Firth says that he 'was one of the Protector's most devoted adherents, and to him Cromwell unbosomed himself with the greatest frankness.' *Clarke Papers*, ii, xxxi."

over the Royalists. That in no small degree conditioned his acts and policies. Yet he had no choice but to go on. The time for compromise — if there had ever been such a time — was past, and he had become, like many men in such a position, a prisoner to the conditions which he had himself done so much to create.

Yet it was apparent that he had lost whatever hold he had on Parliament. In this eventful week, besides adopting a report against the "horrid, blasphemous and execrable opinions" in Biddle's books, ordering a bill to be brought in to punish him and condemning all copies of his "twofold catechism" to be seized and burned,¹⁸⁶ it discussed the fundamental problems of finance and government. The discussion of the former lasted from Monday afternoon, and through Tuesday until four o'clock Wednesday morning,¹⁸⁷ and resulted in votes which could not have been otherwise than distasteful to the Protector. They were to the effect that until December 25, 1659, he was to have £400,000 annually for the maintenance of ships and garrisons, £700,000 for the field forces and all charges relating to defence not covered by the previous vote; and £200,000 for the expenses of administration — a total of £1,300,000,¹⁸⁸ which was far short of what the government required or what it had previously spent.

If this were not enough of a rebuff to the governmental party, it was further resolved that the bill on government should be void and ineffective "if the Lord Protector and the Parliament shall not agree thereunto."¹⁸⁹ It was further provided that the bill should not affect the existing organization of any city, town or borough; and still more significantly, by a vote of 109 to 82, that "the militia . . . ought not to be raised, formed, or made use of, but by common consent of the people assembled in Parliament."¹⁹⁰ This proviso, which withdrew the power granted earlier to the Protector and Council to raise militia in the intervals of Parliament, was a serious blow to Protectoral authority and raised once more the question which had been one of the issues in dispute between Charles I and Parliament. With a final motion to defer debate on another proviso, "that no future Lord Protector should consent to

¹⁸⁶ *C. J.*, vii, 416; *Parl. Hist.*, xx, 402 says no further bill was passed.

¹⁸⁷ *Perf. Diurn.*, Jan. 16. *Parl. Hist.*, xx, 401, says Biddle was committed to the Gatehouse "to be kept . . . in order to a further Proceeding against him," and *ibid.*, p. 402, a committee was appointed to bring in a bill for punishment, "but it never pass'd . . . However he was soon after committed to Newgate, and then banish'd to the Isle of Scilly by order of the Protector and Council." (Warrant for removal to Scilly approved Oct. 5, 1655, *Cal. S. P. Dom.* (1655), p. 372.)

¹⁸⁸ *C. J.*, vii, 417-8; *Clarke Papers*, iii, 18; *Perf. Diurn.*, 15 Jan.; *Gardiner, Comm. and Prot.*, iii, 244-5; cp. also *Bordeaux to Mazarin*, Jan. 18/28, *Fr. Tr. R. O.*; *Paulucci to Morosini*, Jan. 21/31, *Ven. Tr. R. O.*

¹⁸⁹ *C. J.*, vii, 419.

¹⁹⁰ *Ibid.*, vii, 421; *Burton*, i, cxxxiii; *Clarke Papers*, iii, 19; *Perf. Diurn.*, Jan. 20.

take away the negatives hereby declared to be in the Lord Protector," this important session of the House adjourned "very late this night,"¹⁹¹ of January 20, having struck shrewder blows at the authority of the executive than any meeting since those which preceded the outbreak of the civil wars, and drawing a sharp issue between Parliament and Protector which the latter, if he maintained his power, could not well ignore.

Whatever his conferences with his supporters in the House and whatever his personal reactions to its activities, during these eventful days the Protector seems to have confined his overt activities to matters of more or less routine administration. On January 15 he had his farewell audience with Stockar, the envoy from the Swiss cantons.¹⁹² On the same day, January 15, he wrote or signed various documents — an order for a medal for Penn, and a letter reproving that commander for ignoring a request for the employment of the Protector's nephew; a letter apparently to the Duke of Tuscany; one to Duke Enno Lewis to thank him for a gift of falcons; and instructions to Captain Bennett of the *Morning Star* in regard to three provision ships destined for the supply of Penn's expedition:

Warrant to the Admiralty Commissioners

OLIVER P.

You are out of the money remaining in your hands for medals to add unto the medal formerly appointed for General Penn, the value of 30 l. or thereabouts. For which this shall be your warrant. Given at Whitehall this 15th January, 1654(-5).¹⁹³

For General Penn: These

SIR,

I did apprehend and took it as granted that you would make my nephew Whitstone your lieutenant in this expedition; and I acquainted him and his friends therewith, who did depend thereupon. But I understand lately that my nephew is disappointed or at least delayed of that employment. Truly I have entertained such good hopes of the young man from these characters I have received of him, and that from yourself, that I should be loath he should be discouraged or neglected. And therefore I desire you to put your kinsman into some other command in the fleet, and let Whitstone be lieutenant to yourself, according to your promise to me; it being my desire that he should continue under your eye and care. Not doubting of your readiness herein, I commend you to the grace and protection of God, and remain, your loving friend,

Whitehall, 15th January, 1654(-5)

OLIVER P.¹⁹⁴

¹⁹¹ C. J., vii, 421; *Perf. Diurn.*, Jan. 20.

¹⁹² Balthasar, *Helvetia*, i, 585.

¹⁹³ S. P. Dom. XCIV, 25.

¹⁹⁴ Lomas-Carlyle, Suppl. 97, from original at Welbeck. In Thurloe's hand, signed by Cromwell. Pr. in *Hist. MSS. Comm. Repts.*, *Portland MSS.*, ii, 89. (Lomas-Carlyle note.) Cp. earlier letter, Nov. 27. His hopes as to Whetstone seem to have been disappointed, as see *Cal. S. P. Dom.* (1658-9).

As to his letter to the Duke of Tuscany, Salvetti wrote that he was pleased to note in "the letter of this Protector [Cromwell] written to his Highness, the expression contained in it 'of not wishing to change those good relations that always existed between this nation and his Highness' and so I hope it is to continue notwithstanding the opposition of some who do not desire it, who, I believe, are not so numerous nor so powerful as to cause any change respecting this affair."¹⁹⁵ This letter of Salvetti's, written at the moment when Blake was actually in Leghorn, seems to indicate that there was something more in the situation than mere interchange of compliment. According to Ludlow — who had no real contact with the affair — Cromwell was supposed to have demanded indemnity from the Pope and the Duke of Tuscany for their support of Prince Rupert and the loss at the hands of van Galen,¹⁹⁶ and it has even been said that he received £60,000 as indemnity. This is, however, mere rumor of a much later day and receives no confirmation from the letters written by Blake at this time from Leghorn.¹⁹⁷ It probably belongs to the legends which gathered around Blake's name in succeeding generations.

[*To Prince Enno Lewis*]

Oliver, Protector of the Commonwealth of England, Scotland, Ireland &c.
To the most illustrious Lord, Lord Enno Lewis, Prince of East Friesland.
Greeting.

Most Illustrious Lord,

Your letters, sent from the Castle of Arrica we have received. They manifest throughout kindly feeling toward us and ready good-will. And this it has pleased you to express not merely by words (something which none the less was very acceptable to us) but also to make further known by the falcons sent as a present. We are delighted with the gift itself, but much more by the most friendly disposition of the giver. And when we in turn were pondering what could be sent from us that could similarly be a pleasure to you when it pleases you to withdraw from more serious responsibilities and relax your spirit for a while, it seemed best to us to send some hunting-dogs (in addition to the privilege asked for in your letters of transporting some horses, and this we have readily granted). Yet we do not wish that you should measure the extent of our good-will by this slight favor, but that you kindly reckon this little offering as a sort of Testimonial of more considerable Friendship. In all else we heartily pray for all things prosperous and fortunate for your Highness.

Given from our Court at Westminster January 15th 1654/5

Your good friend,
OLIVER P.¹⁹⁸

¹⁹⁵ See Curtis, *Blake*, p. 139.

¹⁹⁶ Ludlow, *Memoirs*, i, 397.

¹⁹⁷ Powell, *Blake*, pp. 284 ff.

¹⁹⁸ Trans. of copy in Rawl. MSS., A261, ff. 33-33v, in App. II (28).

Instructions by the Protector to Capt. Thos. Bennett, of the Morning Star

You are to sail out of the Thames, taking the William, Edward, and Recovery, laden with provisions for our service, and direct your course for Barbadoes. If you overtake the Fleet under General Penn, fall in with him, and pursue his instructions. If not, come up with the Fleet on arriving at Barbadoes, and apply to Gen. Penn, or in his absence, to Dan. Serle, the governor there, for orders. If you meet the Little or Great Charity on the way, proceed under their convoy, and observe the directions of the commander of the Great Charity.¹⁹⁹

Whitehall

January 15, 1654-5

In addition to the protest from Cardenas against granting letters of reprisal to the Rycart brothers against Spain,²⁰⁰ the East India Company petitioned once more for ratification of the agreement between its members and the Dutch East India Company so that they might secure the island of Pularoon and the Dutch indemnity, awarded in the preceding August.²⁰¹ Fleetwood wrote Thurloe that he had not complied with the Protector's earlier order to relieve Ludlow of his commission, which, apparently, he was now obeying.²⁰² But more important than these matters was the pursuit of the examinations regarding the plot.²⁰³ On the 16th Mr. Charles Littleton, brother of Sir Henry, was ordered sent to the Gatehouse by a warrant from the Protector and Council²⁰⁴ following a two-day examination in which he denied any connection with the plot or any knowledge of the plotters, except Norwood and Vernon, with whom, he declared, he had no discussion of any design.²⁰⁵ On that same day Overton arrived by sea from Scotland and was at once committed to the Tower,²⁰⁶ whence on the day following he wrote a letter to a friend denying the charges against him, especially that he had composed the *Character of a Protector* found among his papers²⁰⁷ or that he had received the intercepted letters which it was alleged had been addressed to him²⁰⁸ — which last certainly seems to have been true. While the investigation proceeded, Charles II was advised that the rising had been postponed for a week,²⁰⁹ which seems to indicate that

¹⁹⁹ *Cal. S. P. Dom.* (1655), p. 21.

²⁰⁰ Cardenas to Cromwell, Jan. 18/28, Thurloe, iii, 113-14; cp. *ibid.*, p. 75.

²⁰¹ Factory Records, Java, ii, pt. iv, p. 416, in Foster, *Court Minutes*, v, 6.

²⁰² Thurloe, iii, 112-13; Ludlow, *Memoirs*, i, 408.

²⁰³ *Perf. Diurn.*, Jan. 16.

²⁰⁴ *Cal. S. P. Dom.*, (1655), p. 575.

²⁰⁵ Thurloe, iii, 107-8.

²⁰⁶ *Sev. Proc.*, Jan. 15; *Perf. Diurn.*, Jan. 16.

²⁰⁷ Thurloe, iii, 76.

²⁰⁸ *Ibid.*, pp. 110-12; ii, 590.

²⁰⁹ J. Brerly to "Mr. Thomas Whyte," i.e. the King, Jan. 19, Macray, iii, 9, no. 33.

there was some substance in charges of a design to overthrow the government. To add to the uneasiness, it was reported that Adjutant-General Allen, sometime a leading Agitator in the days of the army councils, was spreading dissatisfaction; and the Protector wrote, in consequence, for further information in regard to him:

[*For Captain Union Crook, at Exeter: These*]

SIR,

Being informed by a letter of yours and General Disbrowe, also by a letter from the High Sheriff of Devon, that Adjutant-General Allen doth very ill offices by multiplying dissatisfactions in the minds of men with the present Government, I desire you and the High Sheriff to make diligent inquiry after him, and try to the uttermost what can be made out of his practicing in this kind, and to give me speedy notice thereof. Not doubting of your care herein, I rest,

Whitehall,

20th January, 1654[–5]

Your loving friend,

OLIVER P.

If he be gone out of the country, learn whither he is gone, and send me word by the next post.²¹⁰

Though all of those accused of complicity in a design to overthrow the government had naturally denied any connection with the matter; though Overton in particular had earlier written to Thurloe offering to "be an instrument in the prevention of disturbance" if there should be "attempts and endeavours by persons of great ability and interest against the government;"²¹¹ though it had seemed impossible to convict any one of any overt act; there was enough in the rumors and examinations to rouse the apprehensions of those in authority. Especially when taken in connection with the attitude of the Parliament, the Protector was evidently alarmed, for it seems apparent, even from the scanty and inconclusive information we have, that the dissatisfied and possibly conspiratorial elements relied on a breach between Parliament and Protector, perhaps even some aid from elements in Parliament itself, to provide an opportunity for some movement against the Protectorate. It was no less evident to the Protector that nothing was to be hoped from Parliament. The time had come for action if his power was to be maintained, and on January 22 he advised Lenthall that he had a "message that he desires to speak with the Parliament in the Painted Chamber."²¹² In consequence, on that morning, the members assembled in the appointed place and there the Protector, accompanied by his usual retinue, addressed them in a speech two hours long. It does not seem, Mr.

²¹⁰ Lomas-Carlyle, CXCVII, from *Lansdowne MSS.* 1236, fol. 109 (*Bibl. Lansdowne* says fol. 102) with note that the superscription is torn off and has been supplied by inference, that only the signature is in Oliver's hand.

²¹¹ Sept. 6, 1654; Thurloe, ii, 590.

²¹² *Hist. MSS. Comm. Repts.*, *Portland MSS.*, i, 678.

Carlyle to the contrary notwithstanding, at this distance, one of his better efforts. It was, in effect, merely finding fault with the Parliament for not communicating more with him; for creating conditions in the country and especially in the army which had led to the conspiracy then on foot; and in particular for not having provided supply. It seems to echo the peevishness of a disappointed and neglected old man, rather than striking the higher note of some of his earlier utterances. It is excessive in length and to some minds it must have seemed excessive in its identification of the purposes of the Protector and the Almighty. And nowhere does it admit the possibility that there was or could be found any reason for unrest outside the walls of Parliament, least of all in the administration itself. It goes so far as to imply that even the old Long Parliament was, and might have done, better than the assembly which he now dissolved.

His Highness' speech to the Parliament in the Painted Chamber, at their dissolution, upon Monday, the 22d of January, 1654.

'Gentlemen,

I perceive you are here as the *House of Parliament*, by your Speaker, whom I see here, and by your faces, which are, in a great measure, known to me.

When I first met you in this room, it was, to my apprehension, the hope-fullest day that ever mine eyes saw, as to considerations of this world: for I did look at (as wrapt up in you, together with myself) the hopes and the happiness of (though not of the greatest, yet a very great, and) the best people in the world; and truly and unfeignedly I thought so; as a people that have the highest and clearest profession among them, of the greatest glory (to wit) religion; as a people that have been like other nations, sometimes up, and sometimes down, in our honour in the world, but yet never so low, but we might measure with other nations; and [as] a people that have had a stamp upon them from God, God having (as it were) summed all our former glory and honour, in the things that are of glory to nations, in an *epitome*, within these 10. or 12. years last past; so that we knew one another at home, and are well known abroad.

And (if I be not very much mistaken) we were arrived (as I, and truly, as I believe, many others did think) at a very safe port, where we might sit down, and contemplate the dispensations of God, and our mercies, and might know our mercies not to have been like to those of the ancients, who did make out their peace and prosperity, as they thought, by their own endeavours; who could not say, as we, that all ours were let down to us from God himself, whose appearances and providences amongst us are not to be outmatched by any story.

Truly this was our condition, and I know nothing else we had to do, save as *Israel* was commanded in that most excellent Psalm of David: Psal. 78 v. 4, 5, 6, 7. *The things which we have heard and known, and our fathers have told us, we will not hide them from their children, shewing to the generation to come the praise of the Lord, and his strength, and his wonderful works which he hath done: for he established a testimony in Jacob, and appointed a law in Israel, which he commanded our fathers that they should*

make them known to their children, that the generation to come might know them, even the children which should be born, who should arise and declare them to their children, that they might set their hope in God, and not forget the works of God, but keep his commandments.

This I thought had been a song and a work worthy of England, whereunto you might have happily invited them, had you had hearts unto it.

You had this opportunity fairly delivered unto you; and if a history shall be written of these times and of transactions, it will be said (it will not be denied,) but that these things that I have spoken are true.

This *talent* was put into your hands: and I shall recur to that which I said at the first, I came with very great joy, and contentment, and comfort, the first time I met you in this place. But we and these nations are, for the present, under some disappointment. If I had purposed to have played the orator, which I did never affect, nor do, nor I hope shall, I doubt not but upon easy suppositions, which I am persuaded every one among you will grant, [I could shew] we did meet upon such hopes as these.

I met you a second time here; and I confess at that meeting I had much abatement of my hopes, though not a total frustration. I confess that that which damped my hopes so soon was somewhat that did look like a parricide. It is obvious enough unto you, that the management of affairs did savour of a not-owning, too, too much savour, I say, of a not-owning, the authority that called you hither, but God left us not without an expedient that gave a second possibility, shall I say, a possibility? it seemed to me a probability of recovering out of that dissatisfied condition we were all then in, towards some mutuality of satisfaction, and therefore by that Recognition,²¹⁸ suiting with the Indenture that returned you hither, to which afterwards also was added your own Declaration, conformable to, and in acceptance of, that expedient, whereby you had (though with a little check) another opportunity renewed unto you to have made this nation as happy, as it could have been, if everything had smoothly run on from that first hour of your meeting.

And indeed (you will give me liberty of my thoughts and hopes) I did think, as I have formerly found in that way that I have been engaged as a soldier, that some affronts put upon us, some disasters at the first, have made way for very great and happy successes.

And I did not at all despond, but the stop put upon you would in like manner have made way for a blessing from God; that that interruption being, as I thought, necessary to divert you from destructive and violent proceedings, to give time for better deliberations, whereby, leaving the Government as you found it, you might have proceeded to have made those good and wholesome laws which the people expected from you, and might have answered the grievances, and settled those other things proper to you as a Parliament, and for which you would have had thanks from all that entrusted you.

What hath happened since that time, I have not taken public notice of, as declining to intrench upon Parliament privileges. For sure I am you will all bear me witness, that from your entering into the House upon the Recog-

²¹⁸ Assent to the Form of Government, Sept. 12, 1654, by which alone entrance could be obtained to the House. (Stainer's note.)

tion, to this very day, you have had no manner of interruption or hindrance of mine in proceeding to that blessed issue [which] the heart of a good man could propose to himself, to this very day.

You see you have me very much locked up as to what you transacted among yourselves from that time to this, but something I shall take liberty to speak of to you. As I may not take notice what you have been doing, so I think I have a very great liberty to tell you, that I do not know what you have been doing, I do not know whether you have been alive or dead, I have not once heard from you in all this time, I have not, and that you all know. If that be a fault that I have not, surely it hath not been mine!

If I have had any melancholy thoughts, and have sat down by them, why might it not have been very lawful to me to think that I was a person judged unconcerned in all these businesses? I can assure you, I have not reckoned myself, nor did I reckon myself, unconcerned in you; and so long as any just patience could support my expectation, I would have waited to the uttermost to have received from you the issues of your consultations and resolutions; I have been careful of your safety, and the safety of those that you represented, to whom I reckon myself a servant.

But what messages have I disturbed you withal? What injury or indignity hath been done or offered, either to your persons or to any privileges of Parliament, since you sat? I looked at myself, as strictly obliged by my oath since your recognizing the Government in the authority of which you were called hither and sat to give you all possible security, and to keep you from any unparliamentary interruption.

Think you I could not say more upon this subject, if I listed to expatiate thereupon? But because my actions plead for me, I shall say no more of this.

I say, I have been caring for you, your quiet sitting, caring for your privileges (as I said before) that they might not be interrupted; have been seeking of God, from the great God, a blessing upon you, and a blessing upon these nations; I have been consulting, if possibly I might in anything promote, in my place, the real good of this Parliament, of the hopefulness of which I have said so much unto you.

And I did think it to be my business rather to see the utmost issue, and what God would produce by you, than unseasonably to intermeddle with you. But, as I said before, I have been caring for you, and for the peace and quiet of the nations, indeed I have, and that I shall a little presently manifest unto you.

And it leadeth me to let you know somewhat that I fear, I fear will be through some interpretation a little too justly put upon you, whilst you have been employed as you have been, and (in all that time expressed in the [Act of] Government, in that Government, I say, in that Government) [have] brought forth nothing that you yourselves say can be taken notice of without infringement of your privileges.

I will tell you somewhat, that (if it be not news to you) I wish you had taken very serious consideration of; if it be news, I wish I had acquainted you with it sooner. And yet if any man will ask me why I did it not, the reason is given already, because I did make it my business to give you no interruption.

There be some trees that will not grow under the shadow of other trees. There be some that choose (a man may say so by way of allusion) to thrive

under the shadow of other trees. I will tell you what hath thriven; I will not say what you have cherished under your shadow; that were too hard. Instead of the peace and settlement, instead of mercy and truth being brought together, righteousness and peace kissing each other, by reconciling the honest people of these nations, and settling the woeful distempers that are amongst us, (which had been glorious things, and worthy of Christians to have proposed) weeds and nettles, briers and thorns, have thriven under your shadow; dis settlement and division, discontent and dissatisfaction, together with real dangers to the whole, has been more multiplied within these five months of your sitting, than in some years before.

Foundations have also been laid for the future renewing the troubles of these nations by all the enemies of it abroad and at home. Let not these words seem too sharp, for they are true, as any mathematical demonstrations are or can be. I say, the enemies of the peace of these nations abroad and at home, the discontented humours throughout these nations, which I think no man will grudge to call by that name or to make to allude to briers and thorns, they have nourished themselves under your shadow.

And that I may be clearly understood, they have taken the opportunities from your sitting, from the hopes they had, which with easy conjecture they might take up and conclude, that there would be no settlement; and therefore they have framed their designs, preparing for the execution of them accordingly.

Now whether (which appertains not to me to judge of on their behalf) they had any occasion ministered for this, and from whence they had it, I list not to make any scrutiny or search, but I will say this: I think they had them²¹⁴ not from me, I am sure they had not; from whence they had it is not my business now to discourse, but that they had, is obvious to every man's sense.

What preparations they have made to execute, in such a season as they thought fit to take their opportunity from, that I know (not as men know things by conjecture, but) by certain demonstrable knowledge, that they have been (for some time past) furnishing themselves with arms, nothing doubting but that they should have a day for it; and verily believing that, whatsoever their former disappointments were, they should have more done for them by and from our own divisions, than they were able to do for themselves. I do not, and I desire to be understood so, that in all I have to say of this subject, you will take it that I have no reservation in my mind to mingle things of guess and suspicion with things of fact, but the things I am telling are of fact, things of evident demonstration.

These weeds, briers, and thorns, they have been preparing, and have brought their designs to some maturity by the advantages given to them, as aforesaid, from your sitting and proceedings.²¹⁵ But by the waking eye that

²¹⁴ Stainer suggests "it" for "them."

²¹⁵ Burton (i, cxxxiv, n.) cites Bate, *Elenchus*, pp. 290-1, for the report that cavalry and infantry officers had been meeting frequently at Somerset House, planning effective satisfaction of their desire for a royal monarch rather than Cromwell; but they were betrayed by Pride, whereupon Cromwell "averted the danger, by immediately dissolving the Parliament, and exacting from the officers a military oath, to secure their future allegiance."

watched over that cause that God will bless, they have been, and yet are disappointed. And having mentioned that cause, I say that slighted cause, let me speak a few words in behalf thereof, (though it may seem too long a digression). Whosoever despiseth it, and will say it is "non causa pro causa," the all-searching eye before mentioned will find out that man, and will judge him as one that regardeth not the works of God, nor the operations of His hands, for which God hath threatened that He will cast men down and not build them up; that [man] because he can dispute and tell us, he knew not where the cause [was] begun nor where it is, but modelleth it according to his own intellect, and submits not to the appearances of God in the world; therefore he lifts up his heel against God, and mocketh at *all* his providences, laughing at the observations, made up, not without reason, and the Scriptures, but by the quickening and teaching *Spirit* which gives life to the other, calling such observations enthusiasms. Such men, I say, no wonder if they "stumble and fall backward, and be broken and snared, and taken,"²¹⁶ by the things of which they are so maliciously and wilfully ignorant! The Scriptures say, the Rod has a voice, and He will make himself known, and He will make himself known by the judgements which He executeth.²¹⁷ And do we not think He will, and does, by the providences of mercy and kindness which He hath for His people, and for their just liberties, whom He loves as the apple of His eye? Doth He not by them manifest himself? And is He not thereby also seen, giving kingdoms for them, giving men for them, and people for their lives, as it is in the 43. of *Isaiah*? Is not this as fair a lecture and as clear speaking, as anything our dark reason, left to the letter of the Scriptures, can collect from them? By this voice has God spoken very loud on the behalf of his people, by judging their enemies in the late war, & restoring them a liberty to worship with the freedom of their consciences, and freedom in their estates and persons when they do so. And thus we have found the cause of God by the works of God, which are the testimony of God, upon which rock whosoever splits shall suffer shipwreck.

But it is our glory, and it is mine, if I have any in the world, concerning the interest of those that have an interest in a better world; it is my glory that I know a cause, which yet we have not lost, but do hope we shall take a little pleasure rather to lose our lives than lose. But you will excuse this long digression.

I say unto you, whilst you have been in the midst of these transactions, that party, that Cavalier party, (I could wish some of them had thrust in here to have heard what I say) the Cavalier party have been designing and preparing to put this nation in blood again, with a witness. But because I am confident there are none of that sort here, therefore I shall say the less to that; only this I must tell you, they have been making great preparations of arms, and I do believe [it] will be made evident to you, that they have raked out many thousands of arms, even all that this city could afford for divers months last past.

But it will be said, May we not arm ourselves for the defence of our houses; will anybody find fault for that? No! For that, the reason of their doing so hath been as explicit, and under as clear proof, as the fact of doing so; for

²¹⁶ *Isaiah*, xxviii. 13.

²¹⁷ *Psalm ix.* 16.

which I hope, by the justice of the land, some will, in the face of the nation, answer it with their lives, and then the business will be pretty well out of doubt.

Banks of money have been framing for these and other such like uses; letters have been issued, with Privy Seals, to as great persons as most are in the nation, for the advance of moneys, which have been discovered to us by the persons themselves; commissions for regiments of horse and foot, and command of castles, have been likewise given from Charles Stuart since your sitting, and what the general insolences of that party have been, the honest people have been sensible of and can very well testify.

It hath not been only thus. But as in a quinsy or pleurisy where the humour fixeth in one part, give it scope, it will gather to that place to the hazarding of the whole, and it is natural to do so, till it destroy nature in that person on whomsoever this befalls.

So likewise will those diseases take accidental causes [for] aggravation of their distemper; and this was that which I did assert, that they have taken accidental causes for the growing and increasing of those distempers, as much as would have been in the natural body, if timely remedy were not applied. And indeed things were come to that pass, in respect of which I shall give you a particular account) that no mortal physician, if the *great physician* had not stepped in, could have cured the distemper.

Shall I lay this upon your account or my own? I am sure I can lay it upon God's account, that if He had not stepped in, the disease had been mortal and destructive. And what is all this? Truly I must needs say, a company of men still, like briers and thorns, and worse, if worse can be, of another sort than those before mentioned to you, have been, and yet are, endeavouring to put us into blood and into confusion, more desperate and dangerous confusion than England ever yet saw.

And I must say, as when Gideon commanded his son to fall upon Zeba and Zalmunna and slay them, they thought it more noble to die by the hand of a man than of a stripling,²¹⁸ which shows there is some contentment in the hand by which a man falls; so is it some satisfaction if a Commonwealth must perish, that it perish by men, and not by the hands of persons differing little from beasts; that if it must needs suffer, it should rather suffer from rich men than from poor men, who, as Solomon says, *when they oppress, they leave nothing behind them, but are as a sweeping rain*.²¹⁹

Now, such as these also are grown up under your shadow. But it will be asked, what have they done? I hope, though they pretend Commonwealth's interest, they have had no encouragement from you, but that, as before, [they have] rather taken it, than that you have administered any cause unto them for so doing, from delays, from hopes that this Parliament would not settle, from pamphlets mentioning strange votes and resolves of yours, which I hope did abuse you. Thus you see, whatever the grounds were, these have been the effects. And thus I have laid these things before you, and you and others will be easily able to judge how far you are concerned.

And what have these men done? They have also laboured to pervert where

²¹⁸ *Judges*, viii. 20, 21.

²¹⁹ *Prov.* xxviii. 3.

they could, and as they could, the honest meaning people of the nation, they have laboured to engage some in the army; and I doubt, that not only they, but some others also very well known to you, have helped in this work of debauching and dividing the army; they have, they have. I would be loath to say, who, where, and how, much more loath to say, they were any of your own number, but I can say endeavours have been [made] to put the army into a distemper, and to feed that which is the worst humour in the army; which though it was not a mastering humour, yet these took their advantage from delay of the settlement, and the practices before mentioned, and stopping the pay of the army, to run us into free quarter and to bring us into the inconveniences most to be feared and avoided.

What if I am able to make it appear in fact, that some amongst you have run into the City of London to persuade to petitions and addresses to you, for reversing your own votes that you have passed? Whether these practices were in favour of your liberties, or tended to beget hopes of peace and settlement from you? And whether debauching the army in England, as is before expressed, and starving it, and putting it upon free quarter, and occasioning and necessitating the greatest part thereof in Scotland to march into England, leaving the remainder thereof to have their throats cut there, and kindling by the rest a fire in our own bosoms, were for the advantage of affairs here, let the world judge?

This I tell you also, that the correspondency held with the interest of the Cavaliers, [was] by that party of men, called Levellers, and who call themselves Commonwealth's men; whose declarations were framed to that purpose, and ready to be published at the time of their common rising, whereof we are possessed, and for which we have the confession of themselves now in custody; who confess also they built their hopes upon the assurance they had of the Parliament's not agreeing [to] a settlement. Whether these humours have not nourished themselves under your boughs, is the subject of my present discourse, and I think I say not amiss, if I affirm it to be so.

And I must say it again, that that which hath been their advantage thus to raise disturbance, hath been by the loss of those golden opportunities, that God hath put into your hands for settlement. Judge you, whether these things were thus or no, when you first sat down. I am sure things were not thus. There was a very great peace and sedateness throughout these nations, and great expectations of a happy settlement, which I remembered to you at the beginning of my speech, and hoped that you would have entered upon your business as you found it.

There was a government in the possession of the people, I say a government in the possession of the people, for many months, it hath now been exercised near fifteen months, and if it were needful that I should tell you, how it came into their possession and how willingly they received it, how all law and justice were distributed from it in every respect, as to life, liberty, and estate, how it was owned by God, as being the dispensation of His providence, after twelve years' war, and sealed and witnessed unto by the people, I should but repeat what I said in my last speech made unto you in this place, and therefore I forbear.

When you were entered upon this Government, [instead of] ravelling into

it you know I took no notice what you were doing if you had gone upon that foot of account, to have made such good and wholesome provisions for the good of the people of these nations, for the settling of such matters in things of religion as would have upheld and given countenance to a Godly Ministry, and yet would have given a just liberty to Godly men of different judgements, men of the same faith with them that you call the Orthodox Ministry in England, as it is well known the Independents are, and many under the form of Baptism, who are sound in the Faith, only may perhaps be different in judgment in some lesser matters, yet, as true Christians, both looking at salvation *only by faith in the blood of Christ*, men professing the fear of God, having recourse to the name of God as to a strong tower,²²⁰ I say, you might have had opportunity to have settled peace and quietness amongst all professing Godliness, and might have been instrumental, if not to have healed the breaches, yet to have kept the godly of all judgments from running one upon another, and by keeping them from being overrun by a common enemy, rendered them and these nations both secure, happy, and well satisfied.

Are these things done? Or anything towards them? Is there not yet upon the spirits of men a strange itch? Nothing will satisfy them, unless they can put their finger upon their brethren's consciences, to pinch them there. To do this was no part of the contest we had with the common adversary; for religion was not the thing at the first contested for, but God brought it to that issue at last, and gave it unto us by way of redundancy, and at last it proved to be that which was most dear to us. And wherein consisted this, more than in obtaining that liberty from the tyranny of the Bishops to all species of Protestants, to worship God according to their own light and consciences? For want of which, many of our brethren forsook their native countries to seek their bread from strangers, and to live in howling wildernesses; and for which also many that remained here were imprisoned, and otherwise abused, and made the scorn of the nation.

Those that were sound in the Faith, how proper was it for them to labour for liberty, for a just liberty, that men should not be trampled upon for their consciences! Had not they laboured but lately under the weight of persecutions, and was it fit for them to sit heavy upon others? Is it ingenuous to ask liberty, and not to give it? What greater hypocrisy than for those who were oppressed by the Bishops, to become the greatest oppressors themselves, so soon as their yoke was removed? I could wish that they who call for liberty now also, had not too much of that spirit, if the power were in their hands.

As for profane persons, blasphemers, such as preach sedition, the contentious railers, evil speakers who seek by evil words to corrupt good manners, persons of loose conversations, punishment from the Civil Magistrate ought to meet with them, because, if these pretend conscience, yet walking disorderly, and not according but contrary to the Gospel and even to natural light, they are judged of all, and their sins being open, makes them subjects of the magistrate's sword, who ought not to bear it in vain.

The discipline of the Army was such, that a man would not be suffered to remain there, of whom we could take notice he was guilty of such practices as

²²⁰ 'the name of the Lord is a strong tower: the righteous runneth unto it, and is exalted.' Proverbs xviii. 10.

these. And therefore how happy would England have been, and you, and I, if the Lord had led you on to have settled upon such good accounts as these are, and to have discountenanced such practices as the other, and left men in disputable things free to their own consciences; which was well provided for by the [Act of] Government, and liberty left to provide against what was apparently evil.

Judge you, whether the contesting for things that were provided for by this government hath been profitable expense of time for the good of these nations? By means whereof, you may see you have wholly elaps'd your time, and done just nothing.

I will say this to you in behalf of the Long Parliament, that had such an expedient as this government been proposed to them, and that they could have seen the cause of God thus provided for, and had by debates been enlightened in the grounds by which the difficulties might have been cleared, and the reason of the whole enforced, the circumstances of time and persons, with the temper and disposition of the people, and affairs both abroad and at home when it was undertaken, well weighed (as well as they were thought to love their seats) I think in my conscience that they would have proceeded in another manner than you have done, and not have exposed things to those difficulties and hazards they now are at, nor given occasion to leave the people so dissettled as now they are, who I dare say, in the soberest and most judicious part of them, did expect not a questioning, but a doing [of] things in pursuance of the government. And if I be not misinformed, very many of you came up with this satisfaction, having had time enough to weigh and consider the same.

And when I say, "such an expedient as this government is," wherein I dare assert there is a just liberty to the people of God, and the just rights of the people in these nations provided for, I can put the issue thereof upon the clearest reason, whatsoever any go about to suggest to the contrary.

But this not being the time and place of such an averment, for satisfaction sake herein enough is said in a book, entitled, *A True State of the Case of the Commonwealth, &c.*, published in Jan., 1653. (And for myself, I desire not to keep it an hour longer than I may preserve England in its just rights, and may protect the people of God in such a just liberty of their consciences, as I have already mentioned.) And therefore if this Parliament have judged things to be otherwise than as I have stated them, it had been huge friendliness between persons that had such a reciprocation, and in so great concernments to the public, for them to have convinced me in what particulars therein my error lay, of which I never yet had a word from you. But if, instead thereof, your time has been spent in setting up somewhat else upon another bottom than this stands, that looks as if a laying grounds of a quarrel had rather been designed, than to give the people settlement, if it be thus, it's well your labours have not arrived to any maturity at all.

The Government called you hither, the constitution whereof being so limited, *a single person and a Parliament*, and this was thought most agreeable to the general sense of the nation, having had experience enough by trial of other conclusions, judging this most likely to avoid the extremes of monarchy on the one hand, and democracy on the other, and yet not to found *dominium in gratia*. And if so, then certainly to make it more than a notion, it was requisite

that it should be as it is in the [Act of] Government, which puts it upon a true and equal balance. It has been already submitted to the judicious honest people of this nation, whether the balance be not equal; and what their judgment is, is visible by submission to it, by acting upon it, by restraining their trustees from meddling with it; and it neither asks nor needs any better ratification. But when trustees in Parliament shall by experience find any evil in any parts of the Government, referred by the [Act of] Government itself to the consideration of the Protector and Parliament (of which time itself will be the best discoverer) how can it be reasonably imagined that a person or persons coming in by election, and standing under such obligations, and so limited, and so necessitated by oath to govern for the people's good, and to make their love, under God, the best underpropping and his best interest to him[*self*], how can it, I say, be imagined that the present or succeeding Protectors will refuse to agree to alter any such thing in the Government that may be found to be for the good of the people, or to recede from anything which he might be convinced casts the balance too much to the single person? And although for the present, the keeping up and having in his power the Militia seems the most hard, yet if it should be yielded up at such a time as this, when there is as much need to keep this cause by it (which is most evident, at this time impugned by all the enemies of it) as there was to get it, what would become of all? Or if it should not be equally placed in him and the Parliament, but yielded up at any time? It determines his power, either for doing the good he ought, or hindering Parliaments from perpetuating themselves, or from imposing what religions they please on the consciences of men, or what government they please upon the nation, thereby subjecting us to dis settlement in every Parliament, and to the desperate consequences thereof. And if the nation shall happen to fall into a blessed peace, how easily and certainly will their charge be taken off, and their forces be disbanded; and then where will the danger be to have the Militia thus [*in*]stated?

What if I should say: if there should be a disproportion or disequality as to the power, it is on the other hand? And if this be so, wherein have you had cause to quarrel? What demonstrations have you held forth to settle me to your opinion? Would you had made me so happy as to let me have known your grounds! I have made a free and ingenuous confession of my faith to you, and I could have wished it had been in your hearts to have agreed that some friendly and cordial debates might have been towards mutual conviction. Was there none amongst you to move such a thing? No fitness to listen to it? no desire of a right understanding? If it be not folly in me to listen to town-talk, such things have been proposed, and rejected with stiffness and severity, once and again. Was it not likely to have been more advantageous to the good of this nation? I will say this to you for myself, and to that I have my conscience as a thousand witnesses, and I have my comfort and contentment in it, and I have the witness of divers here, that I think truly scorn to own me in a lie, that I would not have been averse to any alteration, of the good of which I might have been convinced, although I could not have agreed to the taking it off the foundation on which it stands, *viz.* *the acception and consent of the people.*

I will not presage what you have been about or doing in all this time, or do

I love to make conjectures, but I must tell you this, that as I undertook this government in the simplicity of my heart, and as before God, and to do the part of an honest man, and to be true to the interest which in my conscience is dear to many of you (though it is not always understood what God in His wisdom may hide from us as to peace and settlement) so I can say, that no particular interest, either of myself, estate, honour, or family are or have been prevalent with me to this undertaking.

For if you had upon the old government offered to me this one, this one thing, I speak, as thus advised, and before God, as having been to this day of this opinion, and this hath been my constant judgment, well known to many that hear me speak, if this one thing had been inserted, that one thing, that this government should have been and placed in my family hereditary, I would have rejected it, and I could have done no other according to my present conscience and light. I will tell you my reason, though I cannot tell what God will do with me, nor you, nor the nation, for throwing away precious opportunities committed to us.

This hath been my principle, and I liked it when this Government came first to be proposed to me, that it put us off that hereditary way, well looking, that as God had declared what government he had delivered over to the Jews, and placed it upon such persons as had been instrumental for the conduct and deliverance of His people; and considering that promise in *Isaiah*, that God would give rulers as at the first, and judges as at the beginning,²²¹ I did not know but that God might begin, and though at present with a most unworthy person, yet as to the future it might be after this manner, and I thought this might usher it in. I am speaking as to my judgment against making it hereditary, to have men chosen for their love to God, and to truth and justice, and not to have it hereditary. For as it is in *Ecclesiastes*, who knoweth whether he may beget a fool or wise?²²² Honest or not, whatever they be, [they] must come in upon that account, because the government is made a patrimony.

And this I do perhaps declare with too much earnestness, as being my own concernment, and know not what place it may have in your hearts and [those] of the good people in the nation; but however it be, I have comfort in this my truth and plainness.

I have thus told you my thoughts, which truly I have declared to you in the fear of God, as knowing he will not be mocked, and in the strength of God, as knowing and rejoicing that I am kept in my speaking; especially, when I do not form or frame things without the compass of integrity and honesty, [knowing] that my own conscience gives me not the lie to what I say: and then, in what I say I can rejoice.

Now to speak a word or two to you of that I must profess in the name of the same Lord, and wish that there had been no cause that I should have thus spoken to you; and though I have told you that I came with joy the first time, with some regret the second, [to tell you] that now I speak with most regret of all.

I look upon you as having among you many persons that I could lay down

²²¹ *Isaiah i. 26*, 'And I will restore thy judges as at the first and thy counsellors as at the beginning.'

²²² See *Eccles. ii. 19*.

my life individually for. I could, through the grace of God, desire to lay down my life for you, so far am I from having an unkind or un-Christian heart towards you in your particular capacities.

I have that indeed as a work most incumbent upon me. I consulted what might be my duty in such a day as this, casting up all considerations. I must confess, as I told you, that I did think occasionally this nation hath suffered extremely in the respects mentioned, as also in the disappointments of their expectations of that justice that was due to them by your sitting thus long; and what have you brought forth?

I did not, nor cannot apprehend what it is; (I would be loath to call it a fate, that were too paganish a word), but there is something in it, that we have not our expectations.

I did think also for myself, that I am like to meet with difficulties, and that this nation will not (as it is fit it should not) be deluded with pretexts of necessity in that great business of raising of money; and were it not that I can make some dilemmas upon which to resolve some things of my conscience, judgment, and actions, I should sink at the very prospect of my encounters. Some of them are general, some are more special. Supposing this cause, or this business, must be carried on, either it is of God, or of man. If it be of man, I would I had never touched it with a finger; if I had not had a hope fixed in me that this cause, and this business, is of God, I would many years ago have run from it. If it be of God, He will bear it up. If it be of man, it will tumble, as everything that hath been of man, since the world began, hath done. And what are all our histories, and other traditions of actions in former times, but God manifesting Himself that He hath shaken and tumbled down and trampled upon everything that He hath not planted? And as this is, so [will] the all-wise God deal with it.

If this be of human structure and invention, and it be an old plotting and contrivance to bring things to this issue, and that they are not the births of providence, then they will tumble. But if the Lord take pleasure in England, and if He will do us good, He is able to bear us up. Let the difficulties be whatsoever they will, we shall in His strength be able to encounter with them. And I bless God I have been inured to difficulties; & I never found God failing when I trusted in him. I can laugh and sing in my heart when I speak of these things to you, or elsewhere. And though some may think it is an hard thing without Parliamentary authority to raise money upon this nation, yet I have another argument to the good people of this nation, if they would be safe, and have no better principle: whether they prefer the having of their will, though it be their destruction, rather than comply with things of necessity? That will excuse me; but I should wrong my native country to suppose this.

For I look at the people of these nations, as the blessing of the Lord; and they are a people blessed by God. They have been so, and they will be so, by reason of that immortal seed, which hath been and is among them, those regenerated ones in the land, of several judgments, who are all the flock of Christ, and lambs of Christ, though perhaps under many unruly passions and troubles of spirit, whereby they give disquiet to themselves and others, yet they are not so to God, as to us. He is a God of other patience, and He will own the least of truth in the hearts of His people, and the people being the

blessing of God they will not be so angry, but they will prefer their safety to their passions, and their real security to forms, when necessity calls for supplies. Had they not well been acquainted with this principle, they had never seen this day of gospel-liberty.

But if any man shall object, It is an easy thing to talk of necessities, when men create necessities; would not the Lord Protector make himself great, and his family great? doth not he make these necessities? And then he will come upon the people with this argument of necessity! This were something hard indeed; but I have not yet known what it is to make necessities, whatsoever the judgments or thoughts of men are. And I say this, not only to this assembly, but to the world, that that man liveth not, that can come to me, and charge me that I have in these great revolutions made necessities; I challenge even all that fear God. And as God hath said, *my glory I will not give unto another;*²²³ let men take heed and be twice advised, how they call his revolutions, the things of God, and his working of things from one period to another, how, I say, they call them necessities of men's creations: for by so doing they do vilify and lessen the works of God, and rob him of his glory, which he hath said he *will not give unto another*, nor suffer to be taken from him. We know, what God did to Herod, when he was applauded, and did not acknowledge God. And God knoweth what he will do with men, when they shall call his revolutions human designs, and so detract from his glory, when they have not been forecast, but sudden providences in things: whereby carnal and worldly men are enraged, and under and at which many I fear, (some good) have murmured and repined, because disappointed of their mistaken fancies. But still they have been the wise disposings of the Almighty, though [His] instruments have had their passions and frailties. And I think it is an honour to God to acknowledge the necessities to have been of God's imposing, when truly they have been so, as indeed they have, when we take our sin in our actings to ourselves; and much more safe, than [to] judge things so contingent, as if there were not a God that ruled the earth.

We know the Lord hath poured this nation from vessel to vessel, till he poured it into your lap, when you came first together. I am confident that it came so into your hands, [and] was not judged by you to be from counterfeited or feigned necessity, but by divine providence and dispensation. And this I speak with more earnestness, because I speak for God and not for men. I would have any man to come and tell of the transactions that have been, and of those periods of time wherein God hath made these revolutions, and find where they can fix a feigned necessity.

I could recite particulars, if either my strength would serve me to speak, or yours to hear; if that you would revolve the great hand of God in His great dispensations, you would find that there is scarce a man that fell off at any period of time, when God had any work to do, that can give God or his work, at this day, a good word.

It was, say some, the cunning of the Lord Protector (I take it to myself) it was the craft of such a man, and his plot that hath brought it about. And as they say in other countries, There are five or six cunning men in England that

²²³ Isa. xlvi. 8.

have skill: they do all these things. Oh, what blasphemy is this! Because, [these are] men that are without God in the world, and walk not with him, and know not what it is to pray, or believe, and to receive returns from God, and to be spoken unto by the Spirit of God, who speaks without a written Word sometimes, yet according to it: God hath spoken heretofore in divers manners, let Him speak as He pleaseth. Hath He not given us liberty, nay, is it not our duty to go to the Law and to the Testimonies? And there we shall find that there have been impressions in extraordinary cases, as well without the written Word as with it. And therefore there is no difference in the thing thus asserted from truths generally received, except we will exclude the Spirit, without whose concurrence all other teachings are ineffectual. He doth speak to the hearts and consciences of men, and leadeth them to His Law and Testimonies, and there He speaks to them; and so gives them double teachings, according to that of *Job*, *God speaketh once, yea twice*; and that of *David*, *God hath spoken once, yea twice have I heard this.*²²⁴ Those men that live upon their *mumpsimus* and *sumpsimus*, their masses and service-books, their dead and carnal worship, no marvel if they be strangers to God, and the works of God, and to spiritual dispensations. And because they say and believe thus, must we do so too? We in this land have been otherwise instructed, even by the Word and Works and Spirit of God.

To say that men bring forth these things, when God doth them, judge you if God will bear this. I wish that every sober heart, though he hath had temptations upon him of deserting this cause of God, yet may take heed how he provokes, and falls into the hands of the living God by such blasphemies as these. According to the 10th of the *Hebrews*, *If we sin wilfully after that we have received the knowledge of the truth, there remains no more sacrifice for sin.* (It was spoken to the Jews, that having professed Christ apostatized from him.) What then? Nothing but *a fearful falling into the hands of the living God.*

They that shall attribute to this or that person the contrivances and production of those mighty things God hath wrought in the midst of us, and [say] that they have not been the revolutions of Christ himself, upon whose shoulders the government is laid, they speak against God, and they fall under his hand without a Mediator. That is, if we deny the Spirit of Jesus Christ the glory of all His²²⁵ works in the world, by which he rules kingdoms and doth administer, and is the rod of his strength, we provoke the Mediator. And he may say, I'll leave you to God, I'll not intercede for you, let him tear you to pieces; I'll leave thee to fall into God's hands; thou deniest me my sovereignty and power committed to me, I'll not intercede nor mediate for thee; thou fallest into the hands of the living God. Therefore whatsoever you may judge men for, and say, this man is cunning, and politic, and subtle, take heed, again I say, how you judge of his revolutions, as the products of men's inventions.

I may be thought to press too much upon this theme, but I pray God it may stick upon your hearts and mine. The worldly minded man knows nothing of this, but is a stranger to it, and because of this, his atheism and murmurings at instruments, yea repining at God himself, and no wonder, considering the

²²⁴ *Job xxxiii. 14, and Ps. lxii. 11.*

²²⁵ i.e. *God, the Father.*

Lord hath done such things amongst us as have not been known in the world these 1000. years, and yet notwithstanding is not owned by us.

There is another necessity which you have put upon us, and we have not sought; I appeal to God, angels, and men, if I shall raise money according to the Article of the Government, which had power to call you hither, and did; and instead of seasonable providing for the Army, you have laboured to overthrow the government, and the Army is now upon free quarter; and you would never so much as let me hear a tittle from you concerning it. Where is the fault? Has it not been as if you had had a purpose to put this extremity upon us and the nation? I hope this was not in your minds; I am not willing to judge so, but this is the state unto which we are reduced. By the designs of some in the Army, who are now in custody, it was designed to get as many of them as [they] could, through discontent for want of money, the Army being in a barren country, near thirty weeks behind in pay, and upon other specious pretences, to march for England out of Scotland, and in discontent to seize their general there, a faithful and honest man, that so another might head the Army, and all this opportunity taken from your delays, whether will this be a thing of feigned necessity? What could it signify but that the army are in discontent already, and we'll make them live upon stones, we'll make them cast off their governors and discipline? What can be said to this? I list not to unsaddle myself, and put the fault upon others' backs. Whether it hath been for the good of England, whilst men have been talking of this thing or the other, and pretending liberty, and a many good words? Whether it hath been as it should have been? I am confident you cannot think it has; the nation will not think so. And if the worst should be made of things, I know not what the Cornish-men, or the Lincolnshire-men may think, or other counties, but I believe they will all think they are not safe. A temporary suspension of caring for the greatest liberties and privileges (if it were so, which is denied) would not have been of that damage, that the not providing against free quarter hath run the nation upon. And if it be my liberty to walk abroad in the fields, or to take a journey, yet it is not my wisdom to do so when my house is on fire.

I have troubled you with a long speech, and I believe it may not have the same resentment with all that it hath with some. But because that is unknown to me, I shall leave it to God, and conclude with that, that I think myself bound in my duty to God and the people of these nations, to their safety and good in every respect, I think it my duty to tell you, that it is not for the profit of these nations, nor for [the] common and public good, for you to continue here any longer, and therefore, I do declare unto you, That I do dissolve this Parliament.²²⁶

²²⁶ Lomas-Carlyle, Speech IV. Text and notes from Stainer, pp. 173ff, with corrections from pamphlet, pr. Feb. 5, 1654-5.

CHAPTER XIII

THE INSURRECTION OF 1655

JANUARY-MARCH, 1655

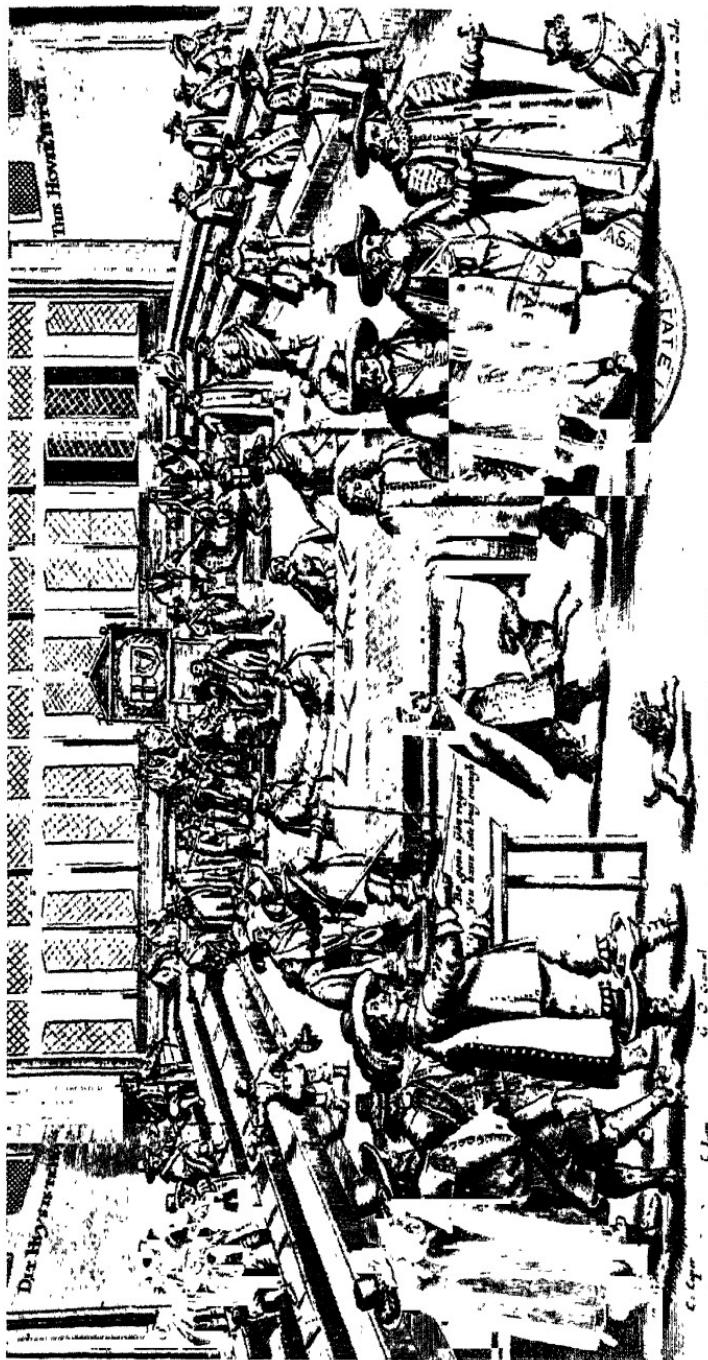
By the end of January, 1655, for the third time in less than two years England found itself without a Parliament, and it was becoming a question whether Cromwell could endure the existence of a body which, whatever its composition, seemed almost certain to find itself in opposition to his wishes and especially to a Protectoral system. The very circumstances under which his speech dissolving this assembly was printed seem to argue that he and his advisers were in some doubt of the reception of that measure, and perhaps still more of his position in the country. The speech did not appear in print until February 5, it being explained that though it "had been passed in order to the presse, it being transcribed out of short hand," his Highness had not had "time to peruse his speech and correct it for the presse."¹ It was further noted at the end that "no person or persons whatsoever presume (at their peril) on any pretence whatsoever, to print or reprint, either in part or whole" this document, save only "Henry Hills, Printer to His Highness, and such as he shall employ and appoint in that behalf." These precautions, though they may have been merely a means of copyright, seem to argue something more than the commoner phrase "printed by authority" usual in such cases.²

There was especial reason for this precaution in the state of the nation at this moment, particularly in view of the great conspiracy which had been so long anticipated and so emphasized by the Protector, and whose repercussions were to fill the ensuing months. This was the more important in that it was hoped by the one side and feared by the other that the dissolution might strike the spark which would set the country in flame. It is not easy to assess its effect or that of Cromwell's explanation, though it has been suggested that the fact he took such pains to publish his speech as accurately as possible indicates a certain doubt as to the reception that the news of the dissolution and the speech might have. Thurloe, like a loyal supporter of the Protector, wrote Pell in regard to the Parliament that,

The truth is, there was so little consistency and agreement among themselves and so violent and strong parties contradicting each other, that it was scarce

¹ *Clarke Papers*, iii, 21.

² *A Declaration . . . upon his actual dissolution of Parliament. With the grounds and reasons which moved him thereunto.* Abbott, *Bibliog. of O. C.*, no. 744a. The Council ordered this printed on Feb. 5 (*Cal. S. P. Dom.*, 1655, p. 32).



CROMWELL DISSOLVING PARLIAMENT

FROM A SATIRICAL DUTCH PRINT, SYMBOLIC WITH NO PRETENSE OF HISTORICAL ACCURACY
($12\frac{7}{8}'' \times 9\frac{1}{4}''$)

possible for them to come to any resolution among themselves that might be for public good. In all the time they sate they prepared not any one act to present to his Highness, nor not so much as for raising money for paying the army, which they suffered to go upon free quarter, to the discontenting of all the people.³

The nation, in fact, seems to have been troubled by this third dissolution of Parliament. Bordeaux pointed out that Cromwell would have to endeavor to secure the favor of the Anabaptists, since he had displeased the Presbyterians, and that there was also a considerable number of Quakers to be dealt with.⁴ When Blake heard of the dissolution, he expressed no surprise in view of "the slow proceedings and awkward motions" of Parliament, his only wonder being that in a time of such danger there could be so much prejudice and animosity among men professedly so patriotic "as to postpone the necessary wayes and meanes for preservation of the commonwealth."⁵

That was the natural reaction of a soldier and a commonwealthsman; it was the Protector's own feeling; but most men in England were neither soldiers nor commonwealthsmen. To many of them, even to some in Parliament, the thing most to be desired was the overthrow of the Cromwellian Protectorate and the reduction, even the extinction, of the army on which it rested. This was not confined to Royalists. Even before the Protector's speech appeared, the attacks on him began. On January 24 there appeared *An Apologie and Vindication of the major part of . . . Parliament*; ⁶ on January 27 *A Declaration of the Members of Parliament lately dissolved by Oliver Cromwell, Esquire*, protesting against the "Tyrant" and summoning "all parties to unite for his destruction."⁷

There is something to be said for Cromwell's condemnation of the Parliament just dissolved, yet according to the very words which the Protector addressed to it at the outset of the session, its main business was to be the "healing and settling" of the government. He had admonished the members, as soon as they had chosen a Speaker, to take into consideration the *Instrument of Government*. He had, it would seem, little doubt but that this fundamental law of the Commonwealth would be promptly accepted more or less as it stood, and the vehemence of his attack on the House when he dissolved it is, in a sense, the measure of his disappointment that its members had taken the task of its revision so seriously — and especially that they had ventured to put such bounds to his own

³ Jan. 26, pr. in Vaughan, *Cromwell*, i, 118-9.

⁴ Bordeaux to Mazarin, Jan. 25/Feb. 4, Thurloe, iii, 123.

⁵ Blake to Thurloe, Mar. 14, *ibid.*, pp. 232-3.

⁶ Abbott, *Bibliog. of O. C.*, no. 617.

⁷ *Ibid.*, no. 746; Crawford, i, 367; Thurloe, v, 419-20 under date of Sept., 1656; Macray, iii, 35, no. 107, says April, 1655.

power as they were able. That even after the "Recognition" there were found so many who still desired to limit his authority is a measure of the general dissatisfaction with a system of government which was, in effect, a military dictatorship. The real issue was, in fact, whether the Protector or the Parliament should be the "supreme authority" in the British Isles. Whether it took the form of the control of the militia and of the armed forces in general through supply, or whether it was expressed in differences of opinion on religious toleration, there was an irrepressible conflict between a Parliament which regarded itself as the representative of the nation and a Protector who regarded himself as appointed by God to save that nation, even from itself.

But this was not the whole of the problem. The Cromwellian government had long been aware of the stirrings of Royalist conspiracy; it was no less aware of the discontent among many who had hitherto followed its own fortunes — Anabaptists, Fifth Monarchists, Quakers, Levellers, Republicans and Parliamentarians, within and without the army. Its problem had been to ferret out the discontented elements, to keep them from combining, and to conciliate or arrest such leaders as seemed most likely to create a disturbance. Since the summer of 1654 it had been busy in this task and its activity was redoubled on the dissolution of the Parliament. This month of January was marked by the seizure and examination of a long list of men — Dallington, Glover, Stradling and Turner,⁸ Bennett, Grey, Grenville, Weston and Gardiner⁹ among the more prominent Royalists, Wildman, Eyre, Overton and Allen from the army.¹⁰

That the government had solid reasons for its alarm, its arrests and its precautions there can be little doubt, and at this moment those reasons were substantially reinforced by the landing at the southeastern ports, especially Dover and Margate, of some of Charles II's more daring officers, among them George Wilmot, recently created Earl of Rochester; one of his most popular followers, the experienced soldier, Sir Joseph Wagstaffe; a Major Armourer, alias "Mr. Wright;" O'Neill, who had left the King a few days earlier; and some eight or ten other Royalist agents.¹¹ In accordance with the Protector's orders of a little time before, some of these, notably Armourer, O'Neill and Broughton, were arrested but presently escaped or were released.¹² Rochester made his way to London, thence apparently by a roundabout way to Yorkshire;¹³ Wagstaffe to the west; and the others to various parts of the country.

⁸ Thurloe, iii, 35, 74, 146, 181, 227.

⁹ Firth, "Cromwell and the Insurrection of 1655," *Eng. Hist. Rev.*, iii (1888),

¹⁰ 332.

¹¹ *Ibid.*, pp. 330-1.

¹² *Ibid.*, p. 337.

¹³ *Ibid.*, p. 524.

¹⁴ *Wilts. Arch. and Nat. Hist. Mag.*, xiii, 124.

Their purpose was clear and as soon as the government had wind of their presence orders were sent to arrest O'Neill¹⁴ and probably others, but the orders came too late to apprehend them. Rochester, in fact, was seized at one point, with a companion, but managed to escape.¹⁵ It appeared that he and O'Neill were authorized by Charles II to advise Sir Thomas Peyton, Colonel Thomas Hill, Sir Humphrey Bennett, Colonel Grey and a Mr. Weston of their arrival and to go west and tell 'Pollard and Dick Arundell' they had the King's authority for promoting a rising.¹⁶

It was unfortunate for them that even while they were on their way, one J. Stradling was informing one Jasper Gill of Bristol, and so Thurloe, of a design on Salisbury where forces were to be assembled to attack the troops at Marlborough; that Colonel Wyndham was to seize Taunton; Sir John Grenville, Plymouth, on St. Valentine's day; that this was confirmed by one St. Loe, taken at Salisbury; and that Colonel Bennett, among others, had already been arrested.¹⁷ It was doubly unfortunate that, acting on information received, every precaution had been taken to secure London from a rising; that even as they landed, Captain Bishop was writing from Bristol to ask reinforcements against a rising;¹⁸ and that other points were being strengthened. Under such circumstances what hope was there for Royalist success?

One of the natural results of these informations and the dissolution of Parliament was the increase of the frequency of the meetings of the Council, beginning with sessions on the next three days after the dissolution, at two of which the Protector was present.¹⁹ One of the first orders of the day on January 23 was to set apart Friday the 26th for the Council to "seek God," under the direction of the Protector assisted by the chaplains Lockyer, Caryll, Benn and Sterry.²⁰ On that same January 23 the Protector granted an audience to the Genoese envoy,²¹ and it was possibly on that occasion there was delivered a letter from that representative, Ugo Fiesco, requesting the same privileges for the Genoese as were enjoyed by the native English.²² But the main business of the Council, apart from the French treaty, seems to have been financial, and its result appears in the numerous orders and advices for payments for various administrative and military purposes.²³ One of its first

¹⁴ *Eng. Hist. Rev.*, iii, 336.

¹⁵ *Ibid.*, 337, iv, 315.

¹⁶ *Ibid.*, iii, 337.

¹⁷ Thurloe, iii, 314.

¹⁸ *Ibid.*, pp. 153, 161.

¹⁹ *Cal. S. P. Dom.* (1655), p. xxv.

²⁰ *Ibid.*, p. 21; *Sev. Proc.*, Jan. 25.

²¹ *Cal. S. P. Dom.* (1655), p. 21; *Perf. Diurn.*, Jan. 23.

²² Thurloe, iii, 118.

²³ Goffe, White and Heane and the two Treasurers at War were ordered to attend on Wednesday at 9; met with Sydenham, Montagu, Lambert and Des-

measures was the continuance of the £60,000 a month²⁴ assessment for the maintenance of the armed forces, which, though less by a third than the £90,000 earlier asked for, appears to be as high as the Council dared go in view of the fresh discontent roused by the dissolution and the questionable position of the existing administration as a result of that event. In the words of the eighteenth century chronicler, "Cromwell having now got rid of his Parliament, because he found them not so pliable to his purposes as he expected, he and his Council applied themselves closely to the making of laws without them."²⁵ But, as the men, especially the lawyers, of Cromwell's day, inquired, what kind of laws? — not statutes, for there was no Parliament; not even ordinances in the older meaning of that word, for by what authority could they be promulgated? The *Instrument of Government* had been in the process of amendment, the new Parliamentary constitution had not been fully approved by any authority and could hardly be said to have come into existence. What, then, was there left as a basis of administrative action — except the fact?

The lack of law, precedent, statute or constitution did not, and could not, for the moment affect the course of that administration. Whatever the opinions or sentiments of its members, they were compelled to go on. Protector and Council functioned as an executive and, in so far as seemed necessary, as a legislature. On the day of the dissolution, Cromwell sent an order to the commissioners for the Admiralty and the Navy concerning the sailing of the fleet for Barbados,²⁶ and a pass and license for Sir John Poole to go overseas with one servant and three horses.²⁷ On the next day, possibly accompanied by Thurloe, he went to Hyde Park for an outing and a dinner, but this time with no such ill effects as his coach accident four months earlier.²⁸ On the 24th he wrote a letter to Fleetwood which he sent by Nathaniel Weare who had some design of leaving that region with some of his fellow-colonists and settling in Ireland:

For the Right Honourable the Lord Deputy of Ireland

DEAR CHARLES,

This bearer, Mr. Nathaniel Weare, who came from New England, hath a certificate from some ministers there that he is a godly sober Christian. And borough (*Perf. Diurn.*, Jan. 23; *Cal. S. P. Dom.* (1655), p. 21). The Treasurers were ordered to pay £4,000 of the £17,000 returned from Portsmouth for Council use (*ibid.*); annulled (?) Jan. 25 (*ibid.*, p. 24); *Sev. Proc.*, Jan. 25.

²⁴ *Parl. Hist.*, xx, 431; *Clarke Papers*, iii, 21.

²⁵ *Parl. Hist.*, xx, 431.

²⁶ Listed in Sotheby's *Catalogue*, Nov., 1925, no. 189, from the collection of Mrs. F. M. Seymour.

²⁷ *Cal. S. P. Dom.* (1655), p. 574.

²⁸ *Clarke Papers*, iii, 20; Thurloe, iii, 122 (letter from Bingham saying Cromwell was absent from Whitehall and that he was told Thurloe was not to be found).

upon some discourse with him, I find he is willing with some friends of his to bring their families from New England and to come to live in Ireland. Wherefore I earnestly desire of you that they may have your countenance and all furtherance and assistance therein, and that when they come there they may be admitted to take leases of lands in Ireland, such as may be convenient for them to plant upon at easy and reasonable rates, and that upon all occasions they may have all lawful favour and encouragement from you. I rest,

Whitehall,
24 Jan. 1654[-5]

Your loving father,
OLIVER P.²⁹

On January 25 Protector and Council considered various petitions of long standing³⁰ and their routine does not seem to have been affected by the fact that the next day had been set aside to observe a day of fasting and humiliation at Whitehall.³¹ Meanwhile their representatives abroad were not idle. On the day of the dissolution, Monk wrote to ask the Protector to give a hearing to the "Remonstrators" who believed that they saw a way to solve that perennial problem of the settlement of the church in Scotland.³² At the same time, Charles Longland, agent at Leghorn both for the English government and the Levant Company, wrote to Thurloe in both capacities; first to announce the refusal of the Grand Duke of a request to permit the erection of a Protestant church at Leghorn, though he added that the Duke might consider it if and when such buildings were allowed generally throughout Italy — which seems a sufficiently safe commitment under the circumstances. The second was a bill for Blake's account for £2,832 1/5, which included an item for four mares and two horses sent from Naples to the Protector.³³ On the 27th, in addition to requesting from the Admiralty Commissioners a list of the ships and the number of men required for the next summer's guard,³⁴ the Protector sent a letter of compliment and friendship to Queen Christina in reply to an earlier communication from her; and it is notable that in even such a formal note as this, the Protector took occasion to postpone the fulfilment of her request on account of the state of his affairs and his "very heavy responsibilities."

²⁹ Lomas-Carlyle, Suppl. 99; Letters from the Lord Protector, A/28, 26, p. 48, P. R. O. Dublin; cal. in Dunlop, *Ireland under the Commonwealth*, ii, 476, which notes the letter addressed to the Lord Deputy and Council.

³⁰ *Cal. S. P. Dom.* (1655), pp. 22-3.

³¹ Warrant to Embree, £2,500 on account for repair to Cromwell's houses, *ibid.*, p. 601.

³² Thurloe, iii, 117.

³³ *Ibid.*, iv, 464-5.

³⁴ Listed in Maggs Bros. *catalogue*, no. 230 (1907), item 165. Cp. orders of Feb. 7: list of 40 vessels, 4145 men fit for next summer's guard, but no guns (*Cal. S. P. Dom.* (1655), 34); list of stations of 69 ships (*ibid.* (1654), 430); Dec. 5, committee to advise with the Protector (*ibid.* (1654), 406); Dec. 16, 9,000 men (*ibid.* (1654), 411); Dec. 19, 8,000 men and 60 ships for 1655 (*ibid.* (1654), 586):

Oliver, Protector of the Commonwealth of England, Scotland, Ireland &c.
 To the most Serene and Potent Princess and Highness, her Highness Christina,
 by the Grace of God Queen of the Swedes and Goths and Vandals, great
 Princess of Finland, Duchess of Esthonia, Carelia, Bremen, Verden,
 Stettin, Pomerania, Cassubia and Vandalia, Princess of Rügen. Her
 Highness also of Ingra and Wismar. &c. Greeting.

Most Serene and Powerful Queen,

Highly agreeable to Us were your letters which the most illustrious and eminent Lord Hannibal Sehested, Lord of Noragargard, Knight of the most Serene Order of the Danish King, delivered to us. And he expressed to us more fully your friendliness toward us and your serviceable good-will, and in all respects he conducted himself worthily in the business entrusted to him. Indeed we freely acknowledge ourselves bound to your Majesty by no slight obligation, if it were only that we daily perceive the marked and appropriate favors of so great a Princess toward us. But as to the matters that are proposed to us in your letters, such is the state of our affairs at present, and such are, the very heavy responsibilities in which we are involved that at this time we can by no means make a sufficiently adequate response to them. But whenever a more convenient opportunity presents itself we are going to seize upon it gladly, so that, not only in words but in fact we may make clear by what eagerness we are moved to be deserving of your friendship. And indeed we desire this to be completely manifest to you, that your Majesty is held by us in that estimation and station in which it is fitting that a Princess most distinguished in station, most illustrious for carrying on successfully an imperial power, and for many reasons most worthy of our friendship, should be reckoned. In all else we heartily commend your Majesty to the protection of the Divine will.

Given from our Court at Westminster January 27th in the year 1654[-5]

Your good Friend,
 OLIVER P.³⁵

The state of affairs and the Protector's responsibilities were not lightened by the examinations in regard to the plot which went on without interruption. John Bingham, the governor of Guernsey, having found the Protector and the Secretary absent from Whitehall when he went to pay his respects on January 23, sent to Thurloe from Vauxhall a copy of a letter he had received to the effect that the excitement in regard to the plot was only a trick of the Protector to "affright the Parliament into a compliance with the Court;" though at the same time he enclosed information of arms being delivered under cover of night in Somersetshire.³⁶ Monk sent word that one Sindercombe, whom he had discharged from Tomlinson's regiment as an undesirable before he knew

³⁵ Trans. of copy in *Rawl. MSS.*, A261, ff. 33v-34, in App. II (29). There is some obscurity about this. Christina abdicated June 6, 1654, and this is possibly the letter which Whitelocke had suggested in place of the inclusion of an article in the treaty.

³⁶ Thurloe, iii, 122.

of Sindercombe's connection with an intrigue, would probably be able to give information in regard to the plot to seize Monk himself.³⁷ In Ireland, an order for the arrest of Colonel William Eyres or Ayres, an old Leveller, produced a request from Thurloe to the clerk of the Council in Ireland for further orders as to the disposition of Eyres, whose subsequent examination, recorded by Thurloe and sent to Herbert, revealed no especial complicity on his part or on that of his former prison-mate "about the levelling business." Eyres did, indeed, manage to recall showing Prior a paper he had "found," exhorting the officers and soldiers of the army "to own what they had first fought for, against King and cavalier, and to oppose all that should stand against that freedom, and to endeavour to free them from all slavery and oppression whatsoever."³⁸ The confessions of Nicholas Bagenall³⁹ and Nicholas Bayly⁴⁰ provided the expected confirmation of the direction of the design by Charles II, and Bagenall admitted having had a commission for raising troops. Besides this, the two sons of the bishop of Bangor were reported as having been taken into custody;⁴¹ so that, whatever the extent of the fire, the smoke was considerable, if largely impenetrable. Little definite proof was established as to the actual guilt of any of those involved or accused, beyond that of being cognizant of or sympathetic to discontent with the existing situation and perhaps of some communication with the Royalists in exile. There was enough in all of this, however, for those Royalists to be cheered by the reports — probably exaggerated — that the Protector was "so apprehensive of his person," that he had "not been abroad these two months."⁴² That, at least, was almost certainly untrue, but how much credence the government placed in these reports, and what share, if any, Thurloe's office had in fostering conspiracy while keeping the situation well in hand, we have no means of knowing. But it seems tolerably certain that, however much the Protector's administration was disturbed at the general discontent, it was in no great danger of overthrow, and so far as one may judge from what evidence we have, there was no such movement of troops or unusual strengthening of garrisons as might be expected if the government thought the situation really threatening. There is, moreover, some reason to believe that these plots and rumors of plots, as usual in such cases where the situation is not serious, strengthened the position of the Protector in a nation which, whatever else it wanted, was not anxious for another civil war, especially such a hopeless struggle as would occur in the case of more or less unor-

³⁷ Firth, *Scotland and the Protectorate*, p. 243.

³⁸ Dunlop, *Ireland under the Commonwealth*, ii, 477-8; *Thurloe*, iii, 124, 126.

³⁹ *Ibid.*, p. 125.

⁴⁰ *Ibid.*, p. 127.

⁴¹ *Perf. Diurn.*, Jan. 26-Feb. 2.

⁴² Hyde to Clement, Macray, iii, 12, no. 44.

ganized risings against an army to which they would be so inferior in numbers, equipment, discipline and leadership.

None the less the path of government was far from being clear of obstacles and pitfalls. The Council had now to shoulder the responsibilities which devolved on it with the dissolution of Parliament, and its burdens were heavy. On the 29th of January, when it met with the Protector at Whitehall,⁴³ it considered "many several things, about sea affaires, and traffique . . . and some debates were had how to ease the charges of the people . . ."⁴⁴ On one point it seemed agreed — it would consider no petitions for the paying out of money which could be avoided, whether for the hundred thousand pounds for the arrears due the Queen of Bohemia,⁴⁵ or the support of a minister for the parish of Leconfield,⁴⁶ and it countermanded the order for £800 it had voted to Dame Margaret Hungerford in April.⁴⁷ On the 30th, when the Protector consulted with the Commissioners of the Great Seal and also attended the Council, besides the routine matters of warrants and orders, the discussion about naval affairs was continued, and it is notable that, in spite of his resignation, Cooper's name appears among the list of those present, but not those of either Glyn or Whitelocke who had been previously mentioned as new members,⁴⁸ though it was reported the next day that two new judges would be appointed to fill vacancies and one of them would probably be Glyn.⁴⁹ Again on January 31 the Protector met with the Council to discuss important business whose nature was not revealed, though there was mention in the news-books of the possible conclusion of peace with France and the effort to reduce taxation.⁵⁰ This last question undoubtedly played a large part in these important meetings for on February 1 they finally "passed the sum to be inserted and the distribution thereof,"⁵¹ and on the day following it was announced that an ordinance had been agreed on setting the assessment at the figure already fixed of £60,000 a month.⁵²

As to foreign affairs, Beverning was still being criticized in the Hague for his assent to the exclusion clause in the treaty and it was reported that he and Nieupoort were still striving to persuade the Protector

⁴³ *Perf. Diurn.*, Jan. 29.

⁴⁴ *Sev. Proc.*, Jan. 29.

⁴⁵ *Cal. S. P. Dom.* (1655), p. 26.

⁴⁶ *Ibid.*, p. 27.

⁴⁷ *Ibid.*

⁴⁸ *Sev. Proc.*, Jan. 30; *Clarke Papers*, iii, 20.

⁴⁹ *Sev. Proc.*, Jan. 31.

⁵⁰ *Ibid.*; *Perf. Diurn.*, Jan. 31.

⁵¹ *Cal. S. P. Dom.* (1655), p. 30; *Clarke Papers*, iii, 21.

⁵² *Sev. Proc.*, Feb. 2; *Clarke Papers*, iii, 21. A petition from John Pordage, ejected minister of Bradfield, co. Berks, to the Protector was read but not acted on (*Cal. S. P. Dom.* (1655), p. 31).

to dispense with it.⁵³ The French treaty was held up by the Protector's insistence that the English merchants be reimbursed for money advanced to M. P. de Harlay, the French ambassador in Constantinople.⁵⁴ On February 1 the commissioners appointed by the Protector and Council conferred with Fiesco, the Genoese envoy, in regard to English trade with the Genoese, the leading London merchants, at Cromwell's request, having drawn up their demands in thirteen articles. On the part of the Marquis there was the matter of establishing a bank in London to lend money and stimulate trade;⁵⁵ and an unofficial version of the conference was that the Protector had asked the Genoese authorities to lend him "two million" — presumably livres.⁵⁶ And again the Protector addressed to the Archduke Leopold one of those numerous protests in regard to the seizure of a ship by the Ostenders and the intervention of the Dunkirkers in the affair, in this case accompanying his protest with what was little less than a threat of war in case no remedy was forthcoming:

[*To the Archduke Leopold William*]

Oliver, Protector of the Commonwealth of England, Scotland, Ireland &c.

To the most Serene Prince Leopold William, Archduke of Austria, Duke of Burgundy &c. Governor and Captain-General of the Low Countries and Burgundy. Greeting.

Most Serene Prince,

By the petition addressed to us and enclosed with these letters your Highness may understand what there is in the situation in view of which we should at present trouble your highness with these letters of ours. For indeed from these it is clearly apparent how unjustly that ship whose name is "The Patience" was stopped and kept at Ostend; and how completely in violation of the law the Admiralty at Dunkirk injected itself into this affair, since the examination of this case to no extent pertained to it, but by the express Stipulation of the Treaty was to be referred to the Admiralty of England as its proper tribunal. And so we do not doubt that, after weighing the reasonableness of the cause, your Highness will see to it effectually that Justice without further delay be rendered the petitioners, certainly that the said ship be forthwith returned, and that losses incurred, not only from the detention but in other ways, be fully covered in compensation. This matter indeed we urgently press upon your Highness, lest, if in a case so indisputable justice be either denied or delayed, driven on by the prayers of our people, we be forced

⁵³ *Perf. Diurn.*, Jan. 31.

⁵⁴ Bordeaux to Brienne, Feb. 1/11, Thurloe, iii, 135; Paulucci to Sagredo, Feb. 4/14, *Cal. S. P. Ven.* (1655-6), p. 20. The royal council in Paris was growing impatient and sent an order to Bordeaux "to conclude the treaty, or to come back," that they might know whether they were at peace or war with England (*Sev. Proc.*, Feb. 15, dated Paris Feb. 5).

⁵⁵ *Ibid.*, Feb. 1; Paulucci to Sagredo, Feb. 4/14 (*Cal. S. P. Ven.* (1655-6), p. 20). Same to same, Feb. 12/22, *ibid.*, p. 23.

⁵⁶ Bordeaux to Mareschal d'Aumont at Boulogne, Feb. 1/11, Thurloe, iii, 135.

to have recourse to those remedies which the Law of Nations and the Articles of Peace make available to us. This, however we shall not do, except against our will, since we desire Friendship on both sides to be promoted and Commerce to be maintained reciprocally, safe and undisturbed. May the Gracious and almighty God long keep your Highness secure.

Given from our Court at Westminster the second day of February in the year 1654.

Your good Friend,
OLIVER P.⁵⁷

There was enough in the strained relations between England on the one side and France and Spain on the other over interference with each other's commerce to provide an excuse for whichever government wished to make open war on the other at almost any moment and without further incidents. At this moment neither France nor Spain, still at war with each other, desired another antagonist, especially so dangerous a sea-power as Great Britain, nor on his part was the Protector ready as yet to disclose his hand. Apart from his dissolution of the Parliament and the general opposition of many elements in the British Isles to his rule, he was still concerned with the more active spirits endeavoring to stir those elements to rise against him. The peak of the first alarm at news of the plot had, indeed, been passed, but the conspiracy was still being carried on. Thurloe's examination of Sir Henry Littleton and Major Norwood on January 29 threw no new light on the matter. Sir Henry excused his denial of the presence of arms in his house on the ground of his fear that the soldiers might use violence, while Norwood declared that he had sent Sir John Packington wine but no arms.⁵⁸ There were, it appeared, wheels within wheels in this matter as appeared in a letter from a Colonel Thomas Lyon to Charles II. He had, he said, been authorized to raise a regiment of foot to be transported overseas; Monk had been ordered to assist him; a passport had been issued to him in December;⁵⁹ and he had treated with Bordeaux for the transportation and support of the troops in France.⁶⁰ Now he reported to Charles his hope of selecting officers prepared to do that monarch a service.⁶¹ All this despite the fact that Bordeaux had written earlier quoting a Scottish officer's report that he was not allowed to raise and transport troops to France but had leave to treat with Spain.⁶²

Such complications leave one at a loss to understand the intricacy of

⁵⁷ Trans. of copy in *Rawl. MSS.*, A261, ff. 34v-35, pr. in App. II (30).

⁵⁸ Thurloe, iii, 129-30; cp. Whitelocke, p. 618.

⁵⁹ *Rawl. MSS.*, A328, f. 159; cp. *supra*, pp. 540, 541 n. 32.

⁶⁰ Cp. Bordeaux to his father, Dec. 7/17, Thurloe, iii, 11; same to Mazarin, Dec. 29/Jan. 8, *ibid.*, p. 52.

⁶¹ Firth, *Scotland and the Protectorate*, pp. 244-5 and notes; Macray, iii, 12, no. 45 (Jan. 29/Feb. 8, from Calais).

⁶² Bordeaux to Brienne, Nov. 17/27, Thurloe, ii, 729.

a situation which thus combined plots against the Protector with his own tortuous relations with France and Spain. One thing seems certain, however — it is that it was part of that policy to allow or even encourage as many disaffected as possible to find employment overseas even though it was in the service of a potential enemy. Meanwhile arrests and resignations went on. On January 30 Ludlow signed an engagement to appear at Whitehall before March 10 rather than give up his commissions.⁶³ The next day Adjutant-General Allen, now ranked among the Fifth Monarchists, and concerning whom the Protector had written to Colonel Croke on January 20, was taken into custody for holding disloyal meetings, doubtless of the sect to which he belonged.⁶⁴ Meanwhile, too, Cromwell's secret agent at Charles' court in Cologne, Sir John Henderson, reported to Thurloe what he had been able to gather as to the progress of the plot.⁶⁵ Nor were there wanting some encouraging signs. The spy William Tomson wrote again desiring to serve the Protector at closer range,⁶⁶ and Fleetwood wrote from Ireland that the speech at the dissolution of Parliament had made Cromwell's friends rejoice.⁶⁷

All in all, for the moment at least, the danger of an immediate revolt seemed past or passing, and while the Protector had attended every Council meeting of the last week in January, for the ensuing week, though it met every day, he was present at only one session.⁶⁸ In general its business was, in fact, of no such importance as to demand his presence save, perhaps, for one matter. It ordered that none but the official printer publish the Protector's speech;⁶⁹ and that the Admiralty judges pronounce a sentence in the Palache case, though they had already recommended restoration of the goods seized.⁷⁰ But its chief concern was still financial. On the sixth of February the Council committee brought in amendments to the assessment bill to the effect that the £60,000 for England and the £10,000 each for Scotland and Ireland should be raised by customs, excise and new imposts for the six months' period from December, 1654, to June, 1655, to avoid the evils of free quarter. A promise was added that as the value of any public revenue increased, this extraordinary tax would be decreased in proportion;⁷¹

⁶³ Herbert to Thurloe, Feb. 7, *ibid.*, iii, 142; Ludlow, *Memoirs*, i, 411–12 and note.

⁶⁴ Croke to the Protector, Feb. 7, Thurloe, iii, 143.

⁶⁵ Feb. 2/12, Macray, iii, 13–14, no. 48.

⁶⁶ Jan. 31/Febr. 10, Thurloe, iii, 134; cp. *ibid.*, ii, 236, and iv, 337.

⁶⁷ Fleetwood to Thurloe, Feb. 2, *ibid.*, iii, 136.

⁶⁸ *Cal. S. P. Dom.* (1655), p. xxv.

⁶⁹ *Ibid.*, p. 32; *Sev. Proc.*, Feb. 5.

⁷⁰ *Ibid.*, p. 32; cp. *supra*, p. 527 and n. 9.

⁷¹ *Cal. S. P. Dom.* (1655), p. 33; order in Council for the Commissioners of the Great Seal to issue writs for proclamation of the order (*ibid.*, pp. 35–6); orders sent to the county committees (*ibid.*, p. 38), published Feb. 12. (*Perf. Diurn.*).

and on February 7 besides the Protector's ratification of articles between Monk and Thos. Mackenye on behalf of the Earl of Seaforth the Council advised Cromwell to issue a warrant for the £100,000 requested on January 13 by the Admiralty Commissioners for "a pressing want . . . for the fleet."⁷² In consequence of these activities, there was published on February 8,

An order and declaration of H. H. the Lord Protector with the advice of his council for an assessment of three score thousand pounds by the month . . . for the armies and navies of this Commonwealth.⁷³

The form of this little document was of more importance than its contents indicated, for it answered in a fashion what had been troubling those in the conduct of the government — that is to say by what authority they could go on with their business. It was noted at the time that "His Highness by nott making itt an ordinance hath modestly denied to assume the legislature of the nation . . .,"⁷⁴ and had thus neatly and tacitly evaded for the time being the question of where the right to taxation rested. Like all such fictions, it did not, of course, deceive any one, but it at least left open the question of the right of the Protector and Council to levy taxes *de jure* without affecting the circumstance that they exercised that function *de facto*.

This was the more important in that the signs of dissatisfaction with the government had been increased by the dissolution of the Parliament. Placards had been posted by members of the Parliamentary opposition accusing Cromwell of "despotically" dissolving the Parliaments. That had been stopped and the government was endeavoring to find the author of these attacks.⁷⁵ But, as the Venetian envoy reported to his government, "the animosity against [Cromwell] personally . . . gained fresh impetus" with the assessment levy and would gain more if the government could not prevent publication of the acts passed by Parliament for reducing the armies and thus eventually the taxes.⁷⁶ This was complicated by other matters. On February 4 *A Petitionary Remonstrance* was presented to the Protector by Gauden "in behalf of his distressed brethren," and about this time twelve members of the congregation of the Fifth Monarchist, John Rogers, came with him to the Protector to plead for the liberation of Rogers from his imprisonment at Lambeth

⁷² *Cal. S. P. Dom.* (1655), p. 34.

⁷³ Copy in Collection of Acts, vol. 2, no. 82, Record Office Library, 498 F; order dated Feb. 7 (*Cal. S. P. Dom.* (1655), p. 33); B. M., E 1064, no. 47; Abbott, *Bibliog. of O. C.*, no. 775.

⁷⁴ *Clarke Papers*, iii, 22 (Feb. 13); cp. also Gardiner, *Comm. and Prot.*, iii, 256. *Perf. Diurn.*, Feb. 12; the tax was for the period Dec. 25, 1654 to June 24, 1655.

⁷⁵ Paulucci to Sagredo, Feb. 4/14 (*Cal. S. P. Ven.*, 1655-6, p. 19).

⁷⁶ Paulucci to Sagredo, March 1, *Cal. S. P. Ven.* (1655-6), p. 25.

and of Feake from Windsor. Though the petition for release was not granted, Rogers and some of his followers were allowed to appear before the Protector and there ensued one of the longest, the most entertaining and illuminating conversations of which we have any record in this period, marred only by the fact that the greater part of the talking was done by the voluble and inconsecutive Rogers, perhaps the most notorious man of his time for excessive verbiage and irresponsible utterance. There are two accounts of that extraordinary interview, one the official report in *Several Proceedings*,⁷⁷ the other the "Faithfull NARRATIVE of the late Testimony and Demand made to Oliver Cromwel, and his Powers on the Behalf of the LORDS PRISONERS, in the Name of the Lord Jehovah (Jesus Christ), King of Saints and Nations." It was, according to its verbose title-page, "Published by Faithful hands," and was addressed "To the Faithful Remnant of the Lamb, who are in this Day of great Rebuke and Blasphemy, ingaged against the BEAST and his GOVERNMENT, especially, to the New Non-Conforming Churches, and Saints in City and Country, commonly called by the Name of Fifth Monarchy-men."

The first of these reports declares that the interview was due to the charge "he [Rogers] was not a prisoner for the cause of Christ, but suffered as a busy-body and an evil-doer," which Cromwell agreed to debate with Rogers. The Fifth Monarchist,

being told of an high charge exhibited against him Mr. Rogers charged them that brought it in to be drunkards and swearers. His Highness asked him which of them? and he could not name one of them that he knew. His Highness pressed him for Scripture for his actings. He said the Scripture is positive and privative. His Highness asked him which of those evil Kings that he mentioned that God had destroyed he would parallel to this present state? to which his Highness having no positive but a privative answer, showed what a disproportion there is, those being such as laboured to destroy the people of God, but his work was to preserve them from destroying one another. As, if the whole⁷⁸ power was in the Presbyterians they would force all to their way, and they, the Fifth-Monarchy-Men, would do the like, and so the re-baptized persons also, and his work was to keep all the godly of several judgments in peace, because like men falling out in the street would run their heads one against another, he was as a constable to part them, and keep them in peace. And when he cried down the National Ministry and National Church mentioned to be Antichristian, his Highness told him that it was not so, for that is to force all to one form that is National, which is not done in this Commonwealth.

"These," as the reporter goes on to say, "are but a taste of much more as it was represented to me by some present," including, apparently

⁷⁷ Feb. 1-8; repr. in E. Rogers, *The Life and Opinions of a Fifth Monarchy Man* (1867), pp. 173-4.

⁷⁸ "sole" in *Sev. Proc.*, Feb. 1-8 (no. 280).

General Harrison, Colonel Rich and others who desired the release of Rogers and Feake. How much more there was is indicated somewhat by the fact that the Fifth Monarchy pamphlet which records the incident takes some twenty-seven pages to recount the conversation, most of it by Rogers, and a little by others in the room. It began on no friendly note.

"I sent for some of you, Mr. Rogers," Cromwell said, "and some more of the Church; but you bring with you about two hundred and fifty men to make tumults and risings, therefore send them away, or I will not speak one word." "You," retorted Rogers, "are ruled much by informations which you take upon the reports of them about you, whether true or false, which brings the Lord's people into so much trouble by you, but there is no such matter."

"Ha!" said the Protector, "You will talk, I see, although it be nothing to the purpose. Who speaks to you? With that he turns to one of his Creatures, saying, What say you — is there not so many?"

His servant answered that this was true and that there were above a hundred below. This Rogers heatedly denied, declaring "there are not thirty men that belong to us; and besides, they are all peaceable Christians, related to us in the faith of the Gospel, all unarmed . . . only those . . . as have been this day together seeking the face of the Lord, and now, according to your order, at four o'clock attending here."

Meanwhile the room filled up with what the pamphlet describes as "Court Creatures . . . either of the Council, army men, lawyers and councillors, or of his creatures that were his ministers, or new made gentlemen, or the like."

To these, and "two or three" of Rogers' followers who "were crowded in," the Protector spoke as follows.

I promised to send for you, for some of your friends came and spake sharply to me, as if I had apostated from the Cause of Christ, and persecuting godly Ministers, naming Mr. Rogers and Mr. Feake, and spake other things that were sharp enough. You might have had patience in your words. Now you have liberty to speak to those things, but do not abuse your liberty. You told me Mr. R. suffered for the Gospel. I told you he suffered as a Railer, as a Seducer, and a Busybody in other men's matters, and a Stirrer up of Sedition, which rulers, led by just principles, might suppress. I told you Mr. Rogers suffered justly, and not for the Testimony of Jesus Christ; and, indeed, in some degree it is blasphemy to call suffering for evil-doing suffering for the Gospel; and if he suffers for railing, and despising those that God hath set over us, to say this his suffering is for the Gospel, is making Christ the patron of such things; but if it were suffering for the Gospel something might have been said, yet not so much as saying uncharitably he suffered for evil-doing; so that I say this is the thing in Scripture, and if we show you that you suffer for transgression, then you abuse that Scripture, which I have often thought on, that it is "to make a man an offender for a word." I wish it were better understood in the plainness of the spirit, for (to interpret that Scripture) it

was the evil of those times, which was to lie in wait for words on purpose to catch at words without actions, and that is a sin; but some words are actions, and words are conjugal with actions, for actions and words are as sharp as swords, and such things I charge you with, and you suffer not for the Testimony of Jesus Christ. I speak — God is my witness — I know it, that no man in England does suffer for the Testimony of Jesus. Nay, do not lift up your hands and your eyes, for there is no man in England which suffers so. There are those that are far better than Mr. Rogers, though comparisons are not good, and not near his principles, yet if they should suffer for the Testimony of Jesus. But there is such liberty, I wish it be not abused, that no man in England suffereth for Christ, and it is not your fancy, you must bring strong words to acquaint me of your sharp expressions.

To which adjuration, after a little silence, Rogers replied that he had been a prisoner twenty-seven weeks, Feake over a year, with no charge brought against them. "I desire to know," he said, "in what capacity I stand before you — as a Prisoner, or as a Freeman; as a Christian to a Christian, with equal freedom that others have, or as a slave?"

"A Prisoner," Oliver retorted, somewhat ambiguously, "is a Freeman, as Christ hath made you free, and so you are a Freeman."

To this Rogers retorted in his turn, that the Protector had the "advantage of a law new made, which they call an 'Ordinance of Treason' . . . for every word we speak may be a snare to us."

"I know not what snare may be in this," answered Oliver. "Are you so afraid of snares? What need you fear, that will speak so boldly?" And, after a disclaimer by Rogers, he went on, "You are afraid of snares and advantages taken for your life, when there is no such thing; but I tell you, upon your friends' Petition I sent for you, to satisfy them you suffer as an evil-doer." To Rogers' protest that, though unprepared, he was ready to answer, the Protector replied, with a certain irony, "Ah, we know you are ready enough," and when the Fifth Monarchist began one of his characteristic exordiums with a quotation from the Scriptures, the Protector interrupted him with the admonition, "Take heed you do not abuse the Scripture. If you be such a disciple, then that promise shall be made good unto you, and then you may say you suffer for Christ."

It is obvious that each man was growing impatient of the other and when Rogers protested that they had "a very dangerous passage to you this day, an 'ardua via' through swords and halberds," Cromwell responded contemptuously "Indeed (says he in a scoff); and I pray who was wounded?"

No one, apparently, was seriously injured, though Rogers complained that "many were bruised, beaten and hurt, and among others my wife; but who the rest be, as yet I know not."

"No, so I think!" answered the Protector impatiently, "But I have no time to dispute those things." And when Rogers would have continued to repudiate any petition, Cromwell stopped him by saying "Then we have done; for I tell you, you came here by a desire. I told them I would put it to the issue this meeting, and that I would prove it you suffered for evildoing."

By that time the issue had shifted to the question as to whether or not the Fifth Monarchists had or had not petitioned for an audience, and tempers were rising. To the charge that he was an evil-doer, Rogers retorted that it would not be easy to prove that, and so went on volubly as to the matter of the petition, in which he was seconded by one of twelve companions, who declared "when you said our brother Rogers suffered as an evil-doer, we said then, Why do you not make it appear? and you said you would on Friday or Tuesday, and this was all."

"Well!" said Oliver, "who says it is more? Who says you petitioned? I told you he suffered as an Evil-doer, as a Railer, as a Seducer."

To which Rogers retorted, "But your words are not proofs, my Lord." Then proceeding "there is no law of God nor yet of man that makes me such an offender but yours, which is worse than the Roman law and tyranny, that makes a man a Traitor for words," he was again interrupted by the Protector.

"Who calls you a Traitor?" he inquired. "I call you not. See, I believe you speak many things according to the Gospel, but you suffer for evil doing;" and to Rogers' interruption with a Scriptural quotation he replied "I grieve that you call this the Gospel; for every one is ready to come and say, This is the Gospel, with words in their mouths, and say this is the meaning of the Scripture; but there wants the power of godliness, for Christ and his disciples will not speak evil of no man."

"Yea," answered Rogers, "they did speak against sinners as sinners, which is no evil-speaking. But who made you the judge of the Scriptures, my Lord?" With that he touched on the real ground of their controversy and went on to say that "this present Testimony for Christ's Kingly Interest hath two parts, viz. the positive and the privative; now for the last we suffer, and not for evil-doing."

"Why," inquired the Protector, "who will hinder your preaching the Gospel of Christ — yea, His Personal Reign, who will hinder? You speak of high notions, but you do not preach the Gospel to build up souls in Christ."

By this time the argument had descended to personalities. "I know, my Lord," said Rogers, "that you are a Sophister. And so it seems, for a part of the truth we may preach, but not the whole . . . for that seems to strike at your interest too much."

"Why," replied the Protector, who was apparently losing his temper, "what interest is mine?" "A worldly interest," retorted Rogers, "which God will destroy." "Ha," said the Protector — "And do you judge me?"

"Yea," replied the undaunted Rogers, "by the word of the Lord, in the majesty, might, strength, power, vigour, life and authority of the Holy Ghost

I can, do, and dare judge you and your actions. . . . Besides, I am called by the Holy Ghost, which hath appointed me to preach the Gospel, to judge sins."

"And who," inquired the Protector, "will hinder you to preach the Gospel or to do so — speak against sin as much as you will."

"You do," replied Rogers, "from preaching that part of the Gospel which decries the public sins of the times, or of men in power, armies &c," and so went on to a definition of "railing," not omitting quotation from the Greek Testament.

"To call an honest man a thief is railing," the Protector replied with blunt directness. "Though I do know you have the truths of Christ in you, yet I will prove you suffer for railing, lying, and as a raiser of sedition; and I told them that I would have you sent for to satisfy them." Then, interrupted by Rogers with a Latin quotation, he went on. "This will appear in the informations that are upon the table there, what a railer you are; and therefore let them be read, for there be many of them; the witnesses and the evidences all are ready, it will appear easily, and out of the prison such informations, evidences there are brought in, let them be read."

To this Rogers protested that the informers in Lambeth where he had been confined were the Protector's spies, drunkards, Cavaliers, ranters — "and besides, were they honest men, it were illegal."

"Nay," said Oliver, "they are honest, godly men, that mourn over you, and that are troubled for you, that will witness these things against you." Rogers still protesting, he went on "Nay, but I know you well enough, I know you, and what your principle is too, I know that you never preached the Covenant of Grace, yea, I know it, I have had some discourse with you formerly, I know you are ignorant of the Covenant, nay, for all your lifting up your eyes, it is so." And Rogers again protesting, he continued, "Nay, I tell you, I know you well enough, and I know your principles, though you are but a young man, yet you have been in many places, and are known well enough." And again in reply to another protest, "You talk of that is nothing to the purpose."

At this point one of Cromwell's retinue, Kiffin, apparently seeing that his master was angry and the matter was not going forward, suggested that the informations against Rogers be read, to which the Protector agreed and Rogers, reflecting on Kiffin as "some mercenary man, that hath some dependence on you," again objected.

"It is a matter of fact," interposed the Protector, "you are questioned for, for speaking evil of authority, raising false accusations; for if they were as Nero, you are not to speak evil of them, for what hath the Devil his name for, but because he is an accuser of the brethren; and it is not for your good deeds you are punished, for what saith Christ, 'for which of my good deeds do you punish me?' and so you say, but you shall hear if these be read, whether it be for your good deeds or for evil doing."

Still Rogers resisted the reading of the informations, protesting that he would not answer save in "an open and legal court, before a com-

petent and fit judge, which you are not, my Lord, nor those about you . . . I am ready to answer them in Westminster Hall, where I believe the Lord's Remnant, who are one with me in this Cause, will stand by me."

"Who tries you?" cried Cromwell, "and who says it is a charge? Who calls it a charge? I say not so; and see! before you hear them you call them spurious," and so began to read an information "as that he should call him, Oliver Cromwell, that great dragon that sits at Whitehall, pull him out &c." This Rogers denying, the Protector answered, "These things will be proved."

Rogers again demanding "a fair hearing in a legal court," and ending his plea with a comparison between himself and the Protector, "I think my condition, through Grace, though a poor prisoner, a great deal better than yours; I would not change with you," the Protector again asserted, "Well, well, you are known well enough, and what spirit you are of. We know you, and to call your sufferings for Christ when they are for evil-doing is not well; yea, it is Blasphemy; yea, I say Blasphemy again, for all your lifting up of your eyes, and I tell you, yea, you, that in a good box of ointment a little thing — a dead fly — may spoil all, yea, a little fly."

Again Rogers, now apparently a little daunted, protested against the Protector's words, but ended "Yet I must tell you, the Lord never made you a judge over our faith, nor of His Scripture, whereof you take upon you." And Cromwell, in his turn, replied more mildly, "Well, you know that the time was there was no great difference betwixt you and me. I had you in my eye, and did think of you for employment (and preferment); you know it well enough."

With both parties to the dispute moderating their language — and perhaps with their hearers being somewhat wearied with the affair, one of them, probably Desborough, again urged the reading of the testimony, this time not the informations from the prison but the notes of Rogers' sermons and prayers at his church of Thomas Apostle. This, except for the "patching and botching" of the reporters, Rogers admitted, and Cromwell said with a certain triumph, "Are these spurious articles now? put in by drunkards and swearers too? . . . Are they not? Ha! — Ha! —"

Ignoring this, Rogers went back to deny the Lambeth informations; there ensued an exchange of remarks among others, including Serjeant Dendy and one of Rogers' companions who requested that his leader have a "copy of his charge."

"No," said the Protector, "this is not his trial," and when the man asked that they have liberty of conscience, Cromwell replied, "I tell you there was never such Liberty of Conscience, no, never such liberty since the days of Antichrist as is now — for may not men preach and pray what they will? and have not men their liberty of all opinions?"

Too much, said Rogers, "for drunkards, swearers, and men of vile, debauched principles and evil lives, Common-prayer men and such like."

"Ha!" said the Protector, "are drunkenness, swearing, opinions, then?"

No, said Rogers, but such men may have their opinions while we are persecuted for the truth, and why do you not release my brother Feake?

"Mr. Feake! truly, Mr. Feake!" exclaimed the Protector. "I think less evil may be said of him than of you; but there are many of different opinions that come to me, and they know they have all their liberty of opinions."

"Yea," replied Rogers acutely, "every man almost that talks with you is apt to think you of his opinion, my Lord, whatever he be."

"Nay," replied the Protector in anger, "you do not," at which, the Fifth Monarchist account declares "His creatures scoffed and laughed again," and Rogers went on to speak of the "privative or negative part of the Testimony," which, he said, his opponent could not bear.

"Pish!" retorted the Protector impatiently, "here is a great deal of positive and privative to show you are a Scholar, and 'tis well known what you are. And where," he inquired, "do you find that distinction?" "In logic," replied Rogers.

"Ha!" replied the Protector contemptuously, and, after Rogers had indulged in one of those rhapsodies common to his sect, concluding with a reference to "the blood of Jezreel shall be upon the house of Jehu," — a not too closely veiled comparison with Cromwell himself — he retorted vehemently,

"Your spirit is to judge, but I regard not your words; look you to your conscience and I will look to mine. Yet for that of Jehu, why, what was that for? It was for fear lest the people should go back again to the house of David and to Jerusalem." So, "running into the story of Jeroboam, . . . he was corrected" by his own followers and by Rogers, and so went on, "Well, but Jehu — can you parallel it now? Why, his heart was hypocritical, and by policy clave to the same sin of his predecessors, and Baal again, to please the people." To which Rogers agreed, and said "is it not so now?"

"Hah!" said the Protector, and turning to his army men, went on, "and so he spake of the army too. What can you say of them?" "I say," replied Rogers, "they are an Apostate army . . ." which "sorely vexed" the officers, "some grating their teeth and laying heads together."

"I tell you," said the Protector 'in a chafe,' "I tell you, and you! that they have kept them all to a tittle. Not one of you can make it appear that they have broke one declaration or engagement, or a tittle of one; prove it if you can, any of you." And when Rogers asked to be allowed to name some, Cromwell went on "Am I impatient, then? Let them that stand by see! Nay, it is you are so full, like the Pamphleteers."

"They that write Pamphlets now never printed more lies and blasphemies since the world stood," observed Rogers, and Cromwell added "I think so too."

With this Rogers returned to his charge that the army had broken its declarations and went on till he was interrupted. "And who?" said the

Protector, "Hear me; who? — who, I say, hath broken that? Where is an arbitrary or absolute power? (nay, hear me): where is such a power?"

"Is not the Long-sword such?" Rogers answered boldly ". . . is not your power with the Armies Absolute, to break up Parliaments and do what you will?" Then, after Colonel Worsley had taken a part in the discussion, which had now reached the dimensions of a general quarrel, the Protector interjected, "Now, for the Army, they are resolved not to rest till they have performed all they engaged; and they are about it as fast as they can do it in order," with much more to the same purpose. One of Rogers' followers endeavoring to answer Worsley, inquired "by what rule you resisted the King?" to which Cromwell "would undertake to answer by a long narrative of the people's grievances, the King's absolute power, and his seeking to destroy his subjects till they were forced to take up arms for their own defence, so that it was a defensive War; and the former Powers had broken their Engagements and forfeited their trust."

With this the argument was taken up by others and the temper of the discussion perceptibly grew warmer. Rogers made another long and rambling attack on the government's breach of its own declarations; to which Sir Gilbert Pickering took some exception, and Rogers burst forth again to the effect that "the controversy is not now between man and man, . . . but it is now between Christ and you, my Lord, Christ's government and yours; and which of these two are the higher Powers for us to side with and be obedient unto, judge ye."

"Ha!" said the Protector again, "who denies the case to be clearer now? But I heard indeed it is some of your principles to be at it; Why, you long to be at it — you want but an opportunity."

"The Remnant of the Woman's seed," answered Rogers in the peculiar phraseology of his sect, "must be at it when they have the Call. For I beseech you, my Lord, to consider how near it is to the end of the Beast's dominion, the 42 months, and what time of day it is with us now."

"Talk not of that," interrupted the Protector, "for I must tell you plainly they are things I understand not." Then, after other interjections by Rogers and one of his followers, and an observation that "Great men are not always wise," Rogers, "speaking with a high voice and great alacrity," which "made the Courtiers scoff at him as if he were a madman," declared in a favorite phrase of his fanatic sect, "the seed of the woman shall break the serpent's head." To which Cromwell answered, "Ha! And thus they talk of the Ministry and Commissioners for Approbation, and say they are Antichristian."

This Rogers admitted, and the Protector retorted, "You fix the name of Antichristian upon anything," and again in answer to Rogers' reply, "Being angry, looked on his army men. 'See' (said he) 'and so all is Antichristian, and Tithes are so too, with you, but I will prove they are not.'"

"My Lord," Rogers intervened, "you were once of another mind, and told me you'd have them pulled down, and put into a treasury."

"Did I ever say so?" inquired the Protector, and being assured that he had, in the Cock-Pit, went on to say "Ha! there be many gentlemen know that I have been for them, and will maintain the justness of them," then, after another interruption by Rogers, "See, now, how you run! It is not a National Ministry that is now established, nor can you make it appear they are Anti-christian," and again, "I tell you, you and you, that you cannot, for they ordain none," and finally, after another interruption, "I tell you, it is their Grace, they judge of, and not for parts or learning Latin, Greek, or Hebrew."

"And who made them judges of Grace, my Lord?" inquired Rogers, and one of his followers added, "My Lord, we are very much dissatisfied with what you have done against these prisoners of the Lord Jesus. . . ." To which the Protector answered sharply, "I cannot tell you, then, how to help it." To which again the man replied, "For my part, I must declare against you, and will venture my life, if I be called to it, with these our brethren that suffer."

Supported in this threat by others of Rogers' following and by Rogers himself, the Protector replied, "Well, I'll send for some of you ere long, but I have lost this time, and have public business upon me at this time: I had rather have given £500! — I tell you there wants brotherly love, and the several sorts of forms would cut the throats one of another, should not I keep the peace."

"Those you call Fifth-Monarchy-Men," returned Rogers bitterly, "are driven by your sword to love one another," to which the Protector replied "Why, I tell you there be Anabaptists (pointing at Mr. Kiffin) and they would cut the throats of them that are not under their forms; so would the Presbyterians cut the throats of them that are not of their forms, and so would you Fifth-Monarchy-Men. It is fit to keep all these forms out of the power."

Again Rogers inquired, "Who made you, my Lord, a judge of our principles? You speak evil of you know not what. For that Fifth-Monarchy principle, as you call it, is of such a latitude as takes in all Saints, all such as are sanctified in Christ Jesus," and, ended his remarks with a Latin quotation.

Once more he was interrupted by the Protector. "What do you tell us of your Latin?" he inquired, and Rogers, with more than usual impertinence, even for him, retorted, "Why, my Lord, you are Chancellor of Oxford, and can you not bear that language?"

The conference was evidently getting out of hand, and one of Rogers' followers, evidently desiring to get back to the original question, put in a plea for Rogers' release, to which the Protector replied shortly, "I will take my own time; you shall not know what I will do," and so, with more bickering among the two antagonists and their followers, chiefly personal and to no purpose, the audience broke up and Rogers was sent back to prison, with orders that no more than six persons should visit him at any one time. On his way to the boat that was to take him back to prison, he met General Harrison, Colonel Rich, Mr. Carew, General Courtney, Mr. Ireton, Mr. Squib and many others in the court-yard, while Kiffin and some of Rogers' followers went on with the dispute in

the audience chamber, and Harrison, Rich, Carew and Courtney were "hurried away to prison with a troop of horse."⁷⁹

Thus ended the longest interview of which we have any record in Cromwell's life. It requires no great insight to draw from it various conclusions. The first is that, according to his custom, Cromwell was as eager to meet his opponents in the field of dialectical theology as on the field of battle, trusting, not without reason, on the skill he had developed through the years since his earliest experiences in Puritan conventicles, to confound them out of their own mouths and out of the Scripture in which he was no less gifted than they. The second is that there could be no common meeting-ground for two men and two schools of thought so widely separated as those of the Fifth Monarchists and the Cromwellians — nor, in fact, could any school of thought, or emotion, contend with the verbose and inconsequential pertinacity of men who, with all their virtues, strove for an ideal impossible of realization in an imperfect world, and were prepared to overthrow any power which stood in the way of the rule of the Saints. And lastly, it is evident that Cromwell found himself in a difficult position with regard to them. He had used that spirit of enthusiasm to the limit in his rise to power; he had believed that he could control it by persuasion; but he now found that there was no remedy but the sword; and it is obvious that he realized the impossibility of conciliation and was prepared to take the consequences, even at the cost of losing some of his most ardent supporters. It was not the first time, nor the last, that a revolutionary leader has found himself in the position of being compelled to repudiate the more extreme of his followers. But his principle was established — he was a constable set over England to enforce the peace, he had an army at his back, and he was able and resolved that nothing should shake his position. And if he was determined, his opponents were no less so. Carried prisoner to Windsor Castle, Rogers soon launched another attack upon the Protectorate in a pamphlet, as usual flaunting his learning and his hatred of the authorities in its title-page *Jegar Sahadrutha, an Oyled Pillar, set up for Posterity. Against the present Wickednesses, Hypocrisies, Blasphemies, Persecutions and Cruelties of this Serpent power (now up) in England (the Out-Street of the Beast)* . . . described after the best models of his sect in his first paragraph "this Serpent . . . his horns looking so like a Lamb, but that ye may hear a little how he speaks . . . like a Dragon. . . ."⁸⁰

Between men holding such language and principles and any government but their own, no compromise was possible, as every ruler from

⁷⁹ Repr. in E. Rogers, *Opinions of a Fifth Monarchy Man*, pp. 175-223. Dated by Thomason Mar. 21, 1654-5. Cp. also *Athenae Oxoniensis*, iii, 1125; *Sev. Proc.*, Feb. 6 (misdated Tuesday, Feb. 7); Abbott, *Bibliog. of O. C.*, no. 1007.

⁸⁰ Repr. in Rogers, *Opinions of a Fifth Monarchy Man.*, pp. 226 ff.

Elizabeth to Charles II learned. Hard as it was, there seemed nothing to do but to suppress them, for under the circumstances it was doubly dangerous to let them remain at large. It was the more necessary on account of the informations which reached the Protector from the Continent of designs on his person;⁸¹ and it was at this moment that he issued to the authorities of Sandwich — and probably to those of other ports — a stringent order to be on their guard against “dangerous and disaffected persons” passing through their jurisdiction:

To the Chief Magistrate of Sandwich, and all Officers of that Port

OLIVER P.

Trusty and well beloved, We greet you well. Whereas we are given to understand that dangerous and disaffected persons to the peace of this Commonwealth do daily pass to and from the parts beyond the seas, and thereby correspondencies are held between our enemies and those in this Nation, who do adhere to them, for the working of new disturbances and putting things into blood and confusion, We have thought it necessary to let you know the dissatisfaction which we have, that such a general liberty hath been given, to pass and repass as aforesaid to all persons whatsoever, by those who are trusted in that behalf, and that We can by no means suffer that the same be used for the future, to which end We have thought it necessary, especially at this time, streightly to require and command you, as We do hereby, that no persons whatsoever be permitted or suffered to pass your Port, or any the creeks or precincts belonging thereunto, or within your jurisdiction, to any parts beyond the seas, without they bring a license from Us or Our Council dated after the date hereof, and enter the same with the person or persons which are or shall be authorized thereunto. And if any person do attempt to get a passage without such license, you shall cause him to be apprehended and secured, with what is found about him, until you shall give notice thereof unto Us, And for such persons as shall come from beyond the seas in any ship or vessel whatsoever you shall take a very strict account of them from whence they come and what their business is in this Nation, and shall likewise cause them and all chests and other things which they bring with them to be searched and unless you know them yourselves that they are persons well affected to Us and the present Government, you shall cause them of what quantity or condition soever they are of, mean or otherwise, to be secured until you can give notice to Us of their persons and what else you shall judge necessary. And in the execution of the premises We do expect your utmost care, diligence and vigilance, that the troubles and other inconvenience which may fall upon the Nation by your neglect herein be not imputed to you. If you want any help for the punctual and exact performance of what you are hereby required to do, either in the out creeks or elsewhere you may employ such honest and well affected persons for whom you will be answerable for your assistance herein as you shall find necessary. We would have you give unto Us an account of the receipt of this by this bearer. And so relying upon your circumspection and care in the

⁸¹ Henderson to Thurloe, Cologne, Feb. 6/16 in Macray, iii, 15, no. 50.

premises, We bid you farewell. Given at Whitehall this 6th of February
1654.⁸²

Nor was the Rogers interview alone, for it appears that Harrison, Rich, Squib, Courtney and Ireton "continued up the Testimony and the Demand to O. P. the very same night" Rogers went to prison,⁸³ and Thurloe wrote to Monk:

Sir,

I suppose you will heare from other hands of the imprisonment of Major-General Harrison, Mr. John Carew, Mr. Courtney, and Colonel Rich. I will trouble you with the particular reasons and grounds thereof, and that truly not knowing how they may be represented by others. About 10 dayes since they with some others came to his Highnesse, (after that Mr. Rogers with very many of his people had been with him concerneing the imprisonment of himselfe and Mr. Feake), and demanded of him that the prisoners of the Lord might be set at liberty. Whereunto his Highnesse answeread them, that if they were the prisoners of the Lord they should soone be set at liberty, but that hee was sure there was noe body in England in prison for the Lord or the gospell sake. And these two persons were soe far from being in bonds uppoun any such acount, that they were in prison as evill doers, as for railing, reviling, telling untrutches, stirring up the people to armes, &c., which he said he had already made appeare to Mr. Rogers himselfe, and could alsoe satisfie them when there was time for it; and to that end he told them, hee should desire to speake with them at some more convenient time (it being then too late), when he should deale very plainly with them, and would be content to be soe dealt with by them, and to heare what they had to say against the way that he was now in. And soe they went away. About two daies after his Highnesse sent to them that he would speake with them the next day at 9 of the clocke. Harrison and Courtney promised to come, but after it seemes they repented, for they came not. My Lord thinking there might be some mistake in the message, sent a second time, haveing appointed some Christians to be present, who might heare the discourse. But Major-General Harrison then said, that if he had been required to come he should have been more free, but was not free to come upon a desire; the rest had all notice but all refused to come. Then his Highnes summoned them by a warrant in writeing, required them to appeare before him or the Councell upon a certaine day to answer such things as shalbee objected against them concerning the peace of the Nation. When they were served with the warrant Harrison said hee would come, but did not, nor any of the reste. Upon this contempt, and because of the certaine information that my Lord had of theire endeavour to stir upp the people against the Government, and to

⁸² Signature by Cromwell with his family seal at the bottom. Kindly communicated by Mr. E. C. Byrne, Town Clerk of Sandwich, from the Sandwich Records, Letter Book, s/N.1, no. 97. Mentioned in *Hist. MSS. Comm. Rept.* 5, p. 571. Feb. 17 George Bishop reported to Thurloe orders from the Protector to stop suspicious persons (Thurloe, ii, 161). A similar letter was sent to the Bailiffs of Ipswich; quoted in part in Sotheby's *Catalogue* for Feb. 11, 1914, item 145.

⁸³ Rogers, *Opinions of a Fifth Monarchy Man*, p. 220, marginal note.

seduce some persons from theire trust (and that of the greatest moment) which they held under the State, hee sent for them in safe custody, and they were brought hether upon Friday in the afternoone. And because things might bee carried on in a Christian manner his Highnesse had present, when they were called in before him and the Councell severall sober Christians and Ministers, as Mr. Carryll, Mr. Brooks, Mr. Cradock, Mr. Recorder, and others, some whereof were the Irish officers, and at the desire of Major Generall Harrison and the others, there were alsoe called in Mr. Sympson, Mr. Bankes, Mr. Pendarvis &c. That which was first asked them was, why they had in contempt of authoritie refused to come uppon the summons which had bin sent; whereunto, after they had desired to know whether there was any thing against them but theire contempt, they plainly answered, that they could not come, because in that act they should acknowledg the Governement, which they could not doe, it being a Governement set up against the will of God, and in oposition to the Kingdome of Christe, and was antechristian and Babilonish, and they did expect that God would power out his wrath uppon it, and those that did adheere to it, and they did not come, least some of the dropps of wrath should fall uppon them, and therein they obeyed the Scripture, which calls to the daughter of Syon to come out of Babylon. Mr. Carew added that My Lord Protector, when the little Parliament was dissolved, tooke the Crowne off from the heade of Christ, and put it upon his owne. It would be too large to tell all particulars; some of the principalls they layd downe are these. That the present authority is not any authority, nor to bee obeyed, and consequently armes may bee taken up agaistste it. That the Magistrate which is carnall hath no right, nor can have; and the greate objection which they made agaistste this Goverment was because it had a Parliament in it, whereby power is derived from the people, whereas all power belongs to Christ. And it beeing demaunded of them, whether they would engage to live peaceably and not disturbe the peace of the Nation, the[y] refused to doe it; and it being presed upon them to doe it, because of the protection they had, they denied they received any protection from the present Governement, and that they owed theire protection onely to God, and they should expect the same quiet protection from God if the whole army were disbanded to morrow. This was the sume of what they saide, and indeed it seemed strange to all that heard them. Mr. Cradock professed hee would not for any thing he had bin absent, saying hee could not have beleved that theire principles were such as they did discover, and soe said every body else. After the company was with drawne the Councill did offer to them, that if they would retire into theire owne Countys, and promise not to come forth without leave, it would bee all that would bee expected, vitz. Major-Generall Harrison into Stafford-shire, John Carew and Courtney into Cornewell, and Rich into Kent; but they utterly refused it. And thereupon they are ordered to stand committed, which I assure yow is done of pitty to them, and some other people who are led by them, as well as for the sake of the Nation, that they may not putt things into blood and confusion, and bee made use of by the Caveliere and vile leavelling party to destroy and utterly roote out all that are good and godly in the land. Before they were committed, his Highnes tould him that they were not onely committed for the contempt, but because they had acted against the Governement and the peace

of the Nation, and particularly tould every one of them what hee had against them: Major General Harrison, that hee had not onely countenanced those who declaymed publicquely against the Governement, but had perswaded some of the lawfullnesse of takeing up armes against it; John Carew, that he had not onely done what Major General Harison had, but endeavoured to seduce some greate officers from theire trust; that Colonel Rich endeavoured to hinder the raiseing of the tax, and Courtney had bin in Norfolk and there perswaded the Churches to take armes, and in the West hee declaired his opposition, and saide that at London hee should finde both hands and hearts enow to overthrow this Government. To this they made noe answer at all. Thus you have had a very long account of this businesse, which I was willing to doe to prevent misinterpretacions. And it is certaine theire party will endeavour to doe it, as they do heare, and labour to perswade that all Christians are concerned in this imprisonment, when the contrary is true to one of the saints of this nation, [who] doe disowne them, and their courses, and take these things to bee the effect of wrath and envy, and judg them to bee under a greate temptacion.

Many, very many of the Churches of Christ, as well those under baptisme as others in Scotland and England, have acknowledged the Governement in writeing under theire hands since the dissolution of the Parliament. I know it is a trouble to my Lord Protectour to have any one who is a sainte in truth to bee greeved or unsatisfied with him; but he is comforted that what hee doth in these cases, hee doth it for God's and the Saints' sake, and opposes therein that spiritt which is of the world, which God in his Providence all along hath borne witnesse against, vitz. that spiritt which would impose upon the consciences of others, and breake all in peeces who will not bear downe to theire apprehencions. The Presbyterians speakes as well of the Kingdome of Christe as these men, and many of them as holy, and I am sure much more knowing even in spirituall things.

J.T.⁸⁴

It would appear that Captain Unton Croke had picked up Adjutant-General Allen, but his examination proved little more than that he had attended questionable meetings, and while it repeated his claim that he had spoken his mind in conference with the Protector, his own letter to Cromwell, referring to "his Highness' letter" to him, protested innocence of any subversive activity.⁸⁵ The same letter which reported Allen's seizure noted also that the authorities were on the trail of Sexby and Courtney,⁸⁶ though it would appear from the Rogers incident that the latter was even then at Whitehall. Among the twelve men now apprehended were Colonel Grey; Sir Humphrey Bennett; a son of Sir T. Weston; and one Read, in whose possession were found arms and letters from Charles II.⁸⁷ It appeared further that some active disturbance was planned for February 12-14 in the North, in the Midlands and in the

⁸⁴ *Clarke Papers*, ii, 242-46.⁸⁵ Copleston to Croke, Feb. 7, Thurloe, iii, 140-41, 143, 194-5.⁸⁶ *Ibid.*, iii, 140.⁸⁷ *Clarke Papers*, iii, 22; *Perf. Diurn.*, Feb. 9-10.

vicinity of London.⁸⁸ Possibly connected with one of these movements was the seizure of Major John Wildman by Noel Boteler with a party of horse at Edston, while Wildman was dictating *A Declaration of the free and well-affected people . . . in arms against the Tyrant Oliver Cromwell.*⁸⁹ He was arrested and locked up in Chepstow Castle, since, as Whitelocke observed, there was "too much of truth" in the *Declaration* to allow the government any peace while the conspirators were at large. He also felt that Cromwell was "jealous of many of his former friends to be this way inclined," and it is evident that even Whitelocke was not well disposed to Cromwell, suggesting that Cromwell's "jealousy" was one of the main reasons for his having been sent to Sweden and excluded from the Council. It also appeared to him that this was no independent movement but was gradually becoming associated with others which derived their inspiration from Charles.⁹⁰ As to the attitude of the members of the government, Whitelocke noted that "Divers wondred most, that Wildman and others of his party who had served the Parliament, should now join in this design with those of the king's party; but they alledged the strengthening of themselves, and their power afterwards to suppress the Cavaliers, or any other who should oppose their ends: but divers suspected their designs at the bottom of it, to intend the bringing in of the King." In any event, it was for the time being the end of Wildman's activities:

To Noel Boteler

Send a party of horse to Edston, apprehend Major Wildman, and secure him in Chepstow.

c. February 9, 1654-5⁹¹

With these matters pressing hard upon him, the Protector had little time to devote to less important affairs. Paulucci attributed the cause of his delay in returning the compliment of courts which had sent ministers to him to what seems the incredible reason that the longer he waited, the more conspicuous would be the power and dignity of his government,⁹² but it seems more probable that it was because he had more immediate problems to consider. From Moscow, Prideaux wrote that he had con-

⁸⁸ *Merc. Pol.*, Feb. 8-15.

⁸⁹ Thurloe, iii, 147; *Merc. Pol.*, Feb. 8-15; *Perf. Diurn.*, Feb. 12; Abbott, *Bibliog. of O. C.*, no. 799; Clarendon, *History*, xiv, 49; Whitelocke, pp. 618-20 prints the *Declaration*; cp. Thurloe, iii, 147-8 for his notes on Wildman and his plot.

⁹⁰ Whitelocke, p. 620.

⁹¹ Boteler's reply Feb. 10, in Thurloe, iii, 147, to the effect that Wildman had been secured and sent to Chepstow and the papers he was writing when he was seized were enclosed. Lomas-Carlyle, iii, 527, says it was Major William Butler, later Major-General, but the warrant reads as above.

⁹² Paulucci to Sagredo, Feb. 4/14, *Cal. S. P. Ven.* (1655-6), p. 20.

ferred with the Chancellor of the “*possessco*” and posed two questions in the Protector’s name — why were English merchants not permitted to go beyond Archangel, and what were the real motives of the war against the Poles? ⁹³ Meanwhile the first communication arrived from the West Indian expedition in a letter from Captain Gregory Butler of the *Marston Moor*, anchored near Barbados. He announced his readiness to go on to the Leeward Islands to raise forces; the seizure of eight Dutch ships for trading at Barbados; and the news that the Barbadians apparently preferred to trade with foreigners than with the English “extortioners.” ⁹⁴

Nor was Scotland omitted in this catalogue of annoyances. On February 8, it is recorded that:

The Members that served in the late Parliament for Scotland came to take their leaves of his Highness, and laying down the heavy grievance of that nation by reason of a very numerous Army, his Highness told them, that the reason thereof was because the Ministry did preach up the interest of Charles Stuart, and did much inveigh against the present authority, so that there was a necessity of their continuance, but if they could propose any expedient, with a salvo to the security of that nation, he was willing to answer their desires therein; whereupon the said Members are now considering of an expedient. ⁹⁵

In the midst of the ordinary routine of office, however, the Protector and his advisers were not remitting their efforts to discover and stamp out everything which looked like conspiracy or disaffection. No one was too high or too low to escape. In addition to further arrests and imprisonments,⁹⁶ and an order in the Council for action against one George Hull in Surrey for speaking against the Protector,⁹⁷ precautions were taken against any rising in London by an order to seize all powder in the City:

Order by the Protector to the Ordnance Officers

To bring into the Tower all powder in any stores within the City of London and the liberties thereof, that lies dangerously, or may be made use of by disaffected persons, to be secured to the use of the owners, and re-delivered to them, as they may need to dispose of it.

February 12, 1654—[5] ⁹⁸

⁹⁸ Prideaux to Thurloe, Mar. 17, Thurloe, iii, 255–6.

⁹⁴ Butler to Protector, Feb. 7, *ibid.*, p. 142; also in *Memorials of Penn*, ii, 37–8. Cp. also Winslow to Thurloe, March 16, Thurloe, iii, 249–52: says they arrived Jan. 29; this letter also in *Memorials of Penn*, ii, 38–46.

⁹⁵ Stainer, p. 206, from *Clarke MSS.*, 27, f. 44. Also in *Clarke Papers*, iii, 22. Substance only.

⁹⁶ *Perf. Diurn.*, Feb. 12, Thompson and Weston to the Gatehouse, Col. Gardner to the Tower; Col. Francis Hacker wrote the Protector that Lord Grey (of Groby) and Capt. Bedell had been seized with five cases of pistols (Thurloe, iii, 148, Feb. 12).

⁹⁷ *Cal. S. P. Dom.* (1655), p. 38.

⁹⁸ *Ibid.*, p. 39 from copy in *S. P. Dom.*, XCIV, 70 I. There is also a scrap of

That the government by this time was really disturbed at the threat of a rising in the capital is further indicated by an order on the day following for the raising of men for the defence of London in case its garrison of troops should be called for service elsewhere,⁹⁹ which was presently embodied in a commission for those who were to raise and head the new forces. Against those who claimed that the conspiracy was a figment of the Protector's imagination or was inspired by him may be set the many evidences of the government's activities and informations. A letter of February 12 notes the 13th of February or March as the date appointed for a rising in England, but adds that the arrival in Liverpool of three thousand Irish troops, which the Protector had demanded from Fleetwood some time before, had disrupted the execution of the plan there.¹⁰⁰ On the discovery of another letter, dated July, 1654, indicating Charles II's approval of an insurrection,¹⁰¹ the Protector called a meeting of the Lord Mayor, the Recorder, the Aldermen and sixty of the Common Council of London for the 13th; demanded the seizure of all horses within the area of London and Westminster,¹⁰² and showed them the draft of a commission for forces to be raised under the command of Major-General Skippon; or as Clarke reported it:

Speech to the Mayor and officials of London

This day his Highness made a large and satisfactory speech to the Lord Mayor, Aldermen, and many of the Common Council, of the real ground of this new intended war, and afterwards read Charles Stuart's letter and many material depositions for proving thereof, as also Major Wildman's draught of a Declaration (shewing the grounds of the same) when he was taken Saturday last, dictating of it to his clerk, for which he is now committed to Chepstow Castle, and will probably lose his life. A Commission was likewise read giving power to the Lord Mayor, Aldermen, Major-General Skippon, and others, to secure, disarm, and raise forces for defence of the City, but not any of these to be drawn forth without their own consents, to which they did willingly agree.¹⁰³

When the London officials met again in the Guildhall on the 17th, they gave their almost unanimous approval to both the arrangements and the commission.¹⁰⁴

Commission by the Protector to Chris. Pack, Lord Mayor of London, Maj. Gen. Phil. Skippon, Sir John Wollaston, Sir Thos. Vyner, Thos. Atkins, Thos. Andrews, John Fowke, John Dethick, Rob. Tichborne, Rich. Chiverton,

paper signed "We remayne, Yo^r loving ffriend, Oliver P." of the same date in the Huntington Library.

⁹⁹ *Clarke Papers*, iii, 23.

¹⁰⁰ James Halsall to Charles II, Macray, iii, 16, no. 55.

¹⁰¹ *Merc. Pol.*, Feb. 8-15.

¹⁰² *Perf. Diurn.*, Feb. 13; *Clarke Papers*, iii, 23; *Merc. Pol.*, Feb. 8-15.

¹⁰³ *Clarke Papers*, iii, 23.

¹⁰⁴ *Sev. Proc.*, Feb. 17.

Step. Estwick, Wm. Underwood, and John Ireton, Aldermen; Wm. Steele, serjeant-at-law and recorder; Col. John Berkstead, lieutenant of the Tower; Edm. Sleigh, and Thos. Allen, Aldermen and sheriffs, and 23 other military officers and gentlemen, to be Militia Commissioners for the City of London.

The enemies of the peace are still restless in their designs, and have raised forces and been in actual rebellion in several parts of the nation; but their designs have, through God's mercy, been in some measure discovered. To prevent these, the army, or most of it, will have to march into other parts; therefore, lest this great City should be left naked and exposed to the rage of wicked men, you are appointed to raise such men as you think fit to bear arms, under officers (to be appointed by the Protector on consultation with you), who shall lead, muster, and employ them to suppress all rebellions, insurrections, tumults, and unlawful assemblies; and to seize, disarm, and slay all who levy forces against the Government. Also to disarm all known Popish and dangerous or seditious persons, and such as raise tumults; and to give their arms to the well affected. You are to observe the directions of the Protector and Council. Proviso. that no citizen be drawn forth of the City and liberties for military service without his free consent.¹⁰⁵

February 15, 1654-5

Of the three meetings of the Council of February 12, the Protector apparently attended only the first and last,¹⁰⁶ and his approval of nine orders dating from January 25 to February 9 was noted on that day.¹⁰⁷ It was evidently due to the fear that the plots might involve the seizure of treasure that orders were made in the Council for the removal of such treasure to safe-keeping in the Tower.¹⁰⁸ Ordinances passed at an earlier date for reviving the duchy of Lancaster and for the maintenance of almshouses and almsmen were ordered printed,¹⁰⁹ and petitions were considered.¹¹⁰ But the main business, apart from preparations to meet the Royalist design, was the authorization of a seal for the Protector, which was to read "Olivarius Dei gratia Reip. Angliae, Scotiae et Hiberniae," etc., on the side bearing his portrait; and "Magnum Sigillum Reipub. Angliae, Scotiae, et Hiberniae," etc., on the other side. The engraver was, as usual, Thomas Simon.¹¹¹ Besides this the only other matter of note was a petition from the children of one John Buchanan,

¹⁰⁵ *Cal. S. P. Dom.* (1655), pp. 43-44.

¹⁰⁶ *Cal. S. P. Dom.* (1655), p. xxv.

¹⁰⁷ *Ibid.*, p. 39.

¹⁰⁸ *Ibid.*, pp. 40, 42.

¹⁰⁸ *Ibid.*, p. 38.

¹¹⁰ From Maj. Hercules Langrish — no action; from Col. Robt. Thorpe, prisoner in the Tower since Nov. 18, 1653, for "practising great frauds," permission for freedom for a month to attend to some business. *Ibid.*, pp. 40-1, and *ibid.*, pp. 41-2; cp. *ibid.*, (1653-4), p. 444, and *ibid.* (1654), p. 273.

¹¹¹ Variant readings, Feb. 20 (*ibid.* (1655), p. 47) "Olivarus," "Reipub." "Franciae" inserted, "Protector" inserted. Order approved March 6 (*ibid.*, pp. 43, 47). Cp. also *ibid.*, pp. 43, 44.

killed by Lord Mayo in the late Irish wars, recommended to the Irish Commissioners by the Protector. But Mayo had been ordered shot to death in January 1652-3 by the High Court of Justice in Connaught, where his estates lay, out of which Buchanan's heirs prayed for indemnity, and it does not appear whether or not their petition accomplished what they desired.¹¹² In itself the incident is of no general importance, but it reveals the infinite ramifications of detail arising from the Irish situation which served to divert the attention of the Protector and his government from greater issues.

The examination of three of Wildman's associates at Whitehall by the Protector failed to provide any additional information regarding his designs.¹¹³ Harrison, Rich, Courtney and Carew had been sent for to appear before the Council, but they refused to obey either summons or warrant and were presently imprisoned, though, according to Thurloe, with some reluctance on the part of Cromwell.¹¹⁴ Nor did the government neglect publicity as a weapon against these threats to its existence. On February 16 was published *A new and further discovery of another plot against the Lord Protector. Together with a list of the names of the chief conspirators.*¹¹⁵ Additional informations of the plot noted Norfolk, Lincolnshire, Yorkshire, Nottinghamshire and the Isle of Ely as centers of conspiracy, adding that some seaport was to be handed over to an invading force which included six thousand men raised by German princes to be embarked from Norway on Danish ships.¹¹⁶ This seems, on the face of it, improbable, and other details provided by the industrious informers offer more proof of the activity of their imaginations than of that of the conspirators.¹¹⁷ Only one appears of importance. It is the letter and examination of one Ellen Aske on February 17, revealing that Rogers got his news of the Protector from a woman who received it from one of Cromwell's constant male associates, and this information Rogers was able to use in the plans made by him with Harrison, Feake and others.¹¹⁸ This was not improbable, for among the Protector's associates and retinue there were undoubtedly men who sympathized

¹¹² *Cal. S. P. Irel. (1647-60)*, p. 823; cp. Dunlop, *Ireland under the Commonwealth*, i, 198, *Complete Peerage*, viii, 605, and Hickson, *Ireland in the 17th Cent.*, i, 389-90. Council of State issued order Jan. 24, 1655-6.

¹¹³ *Perf. Diurn.*, Feb. 14.

¹¹⁴ Thurloe to Monk, *Clarke Papers*, ii, 242 ff., *ut supra*.

¹¹⁵ Abbott, *Bibliog. of O. C.*, no. 772.

¹¹⁶ Macray, iii, 17-18 no. 58 (Feb. 16/26), in a letter from John Gunter, chaplain to the Merchants Adventurers in Hamburg, to George Marshall, Warden of New College, Oxford.

¹¹⁷ Denial of the charge that Richard Cromwell had a bastard son and that Cromwell would be hanged in two months. Thurloe, iii, 155-6.

¹¹⁸ *Ibid.*, p. 160.

with the Fifth Monarchists whose suppression was now among the Protector's chief concerns.¹¹⁹ Nor them alone, for while Monk was busy supervising the court-martials of Overton's associates in Scotland,¹²⁰ on February 15 the Protector issued a proclamation designed to curb the activities of the Quakers:

By His Highness: A Proclamation prohibiting The Disturbing of Ministers and other Christians in their Assemblies and Meetings.

It having pleased the Lord, by the manifold Mercies and Deliverances which he hath wrought in and for these Nations of late Years, and the Blessings wherewith he hath blessed the Endeavors of the Good People thercof, in making them Successful against His and their Enemies, to crown Us with this, as not the least Token of His Favor and Good Will to Us, That there is a free and uninterrupted Passage of the Gospel running through the midst of Us, and Liberty for all to hold forth and profess with sobriety, their Light and Knowledge therein, according as the Lord in his rich Grace and Wisdom hath dispensed to every man, and with the same Freedom to practice and exercise the Faith of the Gospel, and to lead quiet and peaceable Lives in all Godliness and Honesty, without any Interruption from the Powers God hath set over this Commonwealth, nay with all just and due Encouragement thereto, and Protection in so doing by the same; A Mercy that is a Price of much Blood, and till of late years denied to this Nation, as at this day it continues to be to most of the Nations round about Us, and which all that fear God amongst Us ought duly to consider and be thankful for in this Day, wherein God hath so graciously Visited and Redeemed his People; His Highness, as He reckons it a Duty incumbent upon Him, and shall take all possible Care to Preserve and Continue this Freedom and Liberty to all Persons in this Commonwealth fearing God, though of differing Judgements, by protecting them in the sober and quiet exercise and profession of Religion, and the sincere worship of God, against all such who shall, by imposing upon the Consciences of their Brethren, or offering violence to their Persons, or any other way, seek to hinder them therein; So likewise doth He hold himself equally obliged to take Care, That, on no pretence whatsoever, such freedom given should be extended by any beyond those bounds which the Royal Law of *Love* and *Christian Moderation* have set us in our walking one towards another; Or that thereby occasion should be taken by any to abuse this Liberty to the disturbance or disquiet of any of their Brethren in the same free Exercise of their Faith and Worship, which himself enjoyes of his own. And His Highness cannot but sadly lament the wofull distemper that is fallen upon the Spirits of many professing Religion and the Fear of God in these dayes, who instead of a suitable return to the Lord our God for this Liberty, and all our other Mercies, and appearing in an answerable carriage by a Spirit of tenderness and forbearance one towards another, and provoking one another to Love and good Works, are found in a spirit of bitterness towards their Brethren, biting and devouring, hatefull and

¹¹⁹ *Sev. Proc.*, Feb. 17. See *Bibliog. of O. C.* for publications of this date attacking the Protector.

¹²⁰ Firth, *Scotland and the Protectorate*, pp. 251-53.

hating one another, and whilst they pretend the Liberty which Christ hath purchased for his People, do openly and avowedly, by rude and unchristian Practices, disturb both the publique and private meetings for preaching the Word, or other Religious Exercises, and vilifie, oppose, and interrupt the Publique Preachers in their Ministery, whereby the Liberty of the Gospel, the profession of Religion, and the Name of God is much dishonoured and abused, and the spirits of all good men much grieved. His Highness therefore, having had many informations from divers men lately risen up under the names of *Quakers*, *Ranters*, and others, who do daily both reproach and disturb the Assemblies and Congregations of *Christians*, in their Publique and Private Meetings, and interrupt the Preachers in dispensing the Word, and others in their Worship, contrary to just Liberty, and to the disturbance of the Publique Peace, Doth hold himself obliged by His Trust, to Declare His dislike of all such Practices, as being contrary to the just Freedome and Liberties of the People, which by the Laws and Government of this Commonwealth they ought to be Protected in; And doth hereby strictly Require and Command all Persons whatsoever, That they forbear henceforth all such irregular and disorderly Practices. And if in Contempt hereof, any Persons shall presume to offend as aforesaid, We shall esteem them as Disturbers of the Civil Peace, and shall expect, and do require all Officers and Ministers of Justice to proceed against them accordingly.

Given at White-Hall the 15. day of February 1654[–5].¹²¹

The adroitly phrased proclamation could not conceal the fact that it was directed against those sects which had been causing disturbances among the congregations of the dominant party, and it further emphasized the position of the Protector, suppressing the extreme elements, whether *Episcopalians* or “fanatics,” not so much to steer a middle course as to fortify the position of his own group against all others, whether *Anglican*, *Presbyterian*, *Quakers* or *Ranters*. Mingled with these matters were others of less importance — formal letters patent to Thomas Bushell to search for minerals;¹²² a deed for transfer of Cromwell’s private property;¹²³ a warrant for payment of public money;¹²⁴ and besides them certain communications in regard to affairs overseas. On February 11, Louis XIV wrote the Protector a letter declaring his lasting friendship, probably intended as a stimulant to the treaty negotiations.¹²⁵ A week later Mazarin wrote in the same vein and doubtless for the same purpose;¹²⁶ while on February 13 Bradshaw

¹²¹ Printed by Henry Hills and John Field, Printers to his Highness. London, MCLXIV[–V].

¹²² Mentioned in Bushell’s *Declaration* in *Publ. Intell.*, July 7–14, 1656; cp. Cromwell’s order to Prideaux, May 6, 1654.

¹²³ Noted in catalogue of the library of A. H. Joline, pt. iv, no. 135, sold by Anderson Auction Co., March, 1915.

¹²⁴ In Pierpont Morgan Library. See pp. 628–29, *infra*.

¹²⁵ Guizot, *Cromwell*, ii, 388.

¹²⁶ Feb. 18/28, cal. in 39th *Rept. Dep. Keeper of Public Records*, p. 708.

wrote to request a copy of the Merchant Adventurers' petition to the Protector.¹²⁷ Meanwhile in Moscow Prideaux had an audience with the Czar, to whom, apparently, Cromwell had earlier addressed a letter.¹²⁸

This strange mixture of commonplace and extraordinary, important and insignificant business, common to all administrations, was not confined to the Protector. The five meetings of the Council during the following week, even on the one occasion when Cromwell was present,¹²⁹ accomplished little. Only in one matter, it seems, he intervened. On the petition of Major George Sanderson, who requested a patent for a monopoly of the transportation of Newcastle coal to France, he noted:

We desire the Council to consider this petition, and whether the same be not a monopoly, and so prejudicial to the liberty of the people; or whether it may not lawfully be granted, to the advancement of the public revenue, upon the reasons and grounds annexed.¹³⁰

Those reasons were that previously the customs had often been stolen or evaded, but now would be certain and on security; that Sanderson was never an enemy and had the King of France's patent to be the only seller of English coals in France; that none would lose, for he would employ the same men and vessels at the usual rates; and that he desired this privilege only for France;¹³¹ despite all of which, and of the Protector's notation, the Council voted against it eight days later.¹³² He was busy with many things, small and great, in these days. On February 20 he ratified the treaty with Denmark,¹³³ and issued a warrant for the payment of certain pensions as recommended by the Council some time before,¹³⁴ besides granting a charter to Newport,¹³⁵ signing an order to the commanders in Lincoln in regard to the poaching of game by the soldiers under their command; and on the next day directed two orders for compensation to the Lord Deputy and Council in Ireland:

Warrant to the Commissioners of the Treasury

Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland and the dominions thereto belonging: To our right trusty and right well beloved

¹²⁷ Thurloe, iii, 152; cp. *ibid.*, p. 118.

¹²⁸ *Ibid.*, pp. 173-6.

¹²⁹ Feb. 24, *Cal. S. P. Dom.* (1655), p. xxv.

¹³⁰ *Ibid.*, p. 56.

¹³¹ This note is dated Feb. 19.

¹³² *Ibid.* (Feb. 27).

¹³³ 47th *Rept. Dep. Keeper Pub. Records*, App. p. 65; cp. Sept. 15, above, and App. I (4).

¹³⁴ Advised in Council Dec. 12; approved Jan. 5 (*Cal. S. P. Dom.* (1654), p. 409).

¹³⁵ Cal. in P. G. Stone, *Records of Newport*; and Weinbaum, *English Borough Charters*, p. 46.

Bulstrode Whitelocke, Sir Thomas Widdrington and John Lisle Lords Commissioners of the Great Seal of England, Henry Rolle Lord Chief Justice of the upper Bench, Oliver St. John Lord Chief Justice of the Common Pleas and Edward Montagu and William Sydenham, two of our Council, Commissioners of our Treasury, and to the Commissioners of the Treasury of us and our successors for the time being Greeting. Our will and pleasure is and we do hereby authorize and require you or any two or more of you that out of such treasure as is or shall be remaining in the receipt of the Exchequer you pay or cause to be paid unto the several persons hereafter named the several sums hereafter mentioned that is to say unto Jane Ensor late wife of captain Ensor or her assignes the pension of twenty shillings by the week formerly payable out of Haberdashers' Hall upon an order of Parliament of the two and twentieth day of June in the year of Our Lord one thousand six hundred and fifty together with the arrears thereof since the four and twentieth day of June in the year of our Lord one thousand six hundred fifty four; unto Mr. Peter du Moulin or his assignes a pension of one hundred pounds by the year by quarterly portions being heretofore charged on Haberdashers' Hall by an order of Parliament of the four and twentieth day of August in the year of our Lord one thousand six hundred fifty three, together with the arrears thereof since the said four and twentieth day of June in the year of our Lord one thousand six hundred fifty four inclusive; unto the Lady Alice Burlace or her assigns a pension of four pounds by the week heretofore charged on Goldsmiths' Hall by order of Parliament of the four and twentieth day of August in the year of our Lord one thousand six hundred fifty three together with the arrears thereof from the four and twentieth day of June last inclusive; and unto Lieutenant Thomas Butler or his assigns a pension of forty pounds by the year by quarterly payments, the same being likewise charged on Goldsmiths' Hall by order of Parliament of the second day of April in the year of our Lord one thousand six hundred fifty one together with the arrears thereof since the said four and twentieth day of June last past. And for the future to continue payment of the said several pensions as they shall happen to grow due until other order in that behalf shall be given respectively. And for so doing these presents or the enrollment thereof shall be a sufficient warrant and discharge as well to you the said Commissioners of our Treasury as to the Commissioners of the Treasury of us and our successors for the time being and to all other the officers and ministers of the Receipt of the Exchequer of us and our successors to whom it doth or shall any ways appertain. In witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster the twentieth day of February in the year of our Lord one thousand six hundred fifty four.¹⁸⁶

By the Lord Protector

[No signature]

¹⁸⁶ The original is in the Pierpont Morgan Library in New York. On the back are the signatures of Tho. Fauconberg and Denis Bond as having enrolled the warrant in the offices of the auditor and the Exchequer respectively.

To Colonel Berry and any other Commander-in-Chief with the Forces now quartering or shall hereafter quarter in Our County of Lincoln and in our City and County of our City of Lincoln or parts adjacent

OLIVER P.

Whereas upon information that our deer and game of hares, pheasant, and partridge in our forests, and other places in our county of Lincoln were from time to time spoiled, killed and destroyed by several persons living in and about the said county, who for that purpose kept, and made use of guns, nets and dogs, We did appoint and declare that the laws and statutes, heretofore made, and published for the preservation of the same should be duly put in execution, and by our commission in that behalf of the 30th of November last committed the same to the care and vigilance of the Earl of Moulgrave who by all means hath endeavoured the preservation of the deer and game aforesaid; Yet notwithstanding cannot effect the same, for that as we are given to understand the soldiers now quartering within our said county of Lincoln do frequently enter the forests and other places in the said county and destroy and kill our said deer and game. We have therefore thought fit for the prevention of those and such like disorders which are in manifest contempt of our authority and of the laws to forbid as we do hereby all soldiers whatsoever that they do in no wise kill spoil or destroy any of the game or deer aforesaid, or interrupt the said Earl of Moulgrave in the execution of the trust committed to him on this behalf, and do hereby require you to take care that this order and direction be from time to time observed accordingly. And so not doubting of your readiness to use your utmost endeavours herein we bid you heartily farewell. Given at Whitehall the 20th of February 1654.¹³⁷

To Our Deputy of Ireland and Our Council there

OLIVER P.

Right trusty and right welbeloved we greet you well.

Whereas Colonel Henry Ingoldsby hath set forth to us by his petition that there is due unto him the sum of eleven hundred thirty five pounds, eleven shillings, & two pence, for services done by himself and his brother Oliver Ingoldsby here in England as the same was computed and stated by the Committee of Accompts sitting at Worcester House, for which he should have received satisfaction by the lands of the late King, Queen and Prince but hath not in respect of his absence in Ireland in the states service; and also the sum of one thousand twenty eight pounds and eighteen shillings, for his brother's service in Ireland, and the sum of three hundred and eighty pounds for public faith due upon bills transferred to him by his brother Colonel Richard Ingoldsby: in all amounting to two thousand five hundred, forty four pounds, nine shillings and two pence. For the truth whereof he hath produced several debentures and public faith bills, under the hands of persons trusted in those cases. And this being the most part of his estate, and all that he is like to have for seven

¹³⁷ Contemporary copy in *Rawl. MSS. A 261*, p. 35-35v. Printed from this source in *Notes and Queries*, 2nd series, x (1860), 383, with notes on Mulgrave and the Sheffield family.

years' service, he hath desired that a House and Garden in Limerick wherein he now lives forfeited for treason and whereupon he hath bestowed near five hundred pounds out of his own purse, and also certain forfeited lands belonging to, and lying near and about, Cheynoe Castle¹³⁸ and Cratuloe¹³⁹ in the County of Claire adjoining to Limbrick may be conveyed to him for satisfying the said debt, and in full discharge thereof. We have taken into Our consideration his said request and desire, and weighing the justice of his case, with respect also had to the courage, faithfullness and integrity of the said Colonel Henry Ingoldsby manifested and expressed during the late wars as well in England as in Ireland, and being satisfied by the certificates of several officers in Ireland that the House, Castles and lands desired by him are neither fit for the Irish who shall be transplanted to inhabit in, nor belonging to the lots of the sooldiers, and Adventurers or either of them. Our will and pleasure is, and we do hereby direct and appoint, that in part of satisfaction for the said debt a lease of five hundred years be made to the said Colonel Henry Ingoldsby of the said House and garden in Limerick at the rate of six years purchase as it was worth at the petitioners entering upon it, which is the value set upon houses to be sold in fee simple; and also that in full satisfaction of the said debt a lease be made to him for ninety nine years to commence from the 25th of March next coming of so much and such of the said lands in the County of Clare, as are not fit for the Irish to be transplanted to, and as you shall judge will be sufficient with the value of the said House and Castles and garden to satisfy the said debt of 2544: 9: 2 at such rates and values as you shall judge just and reasonable reserving such rent and inserting in the said lease such covenants and conditions as shall be agreeable to our intention and for the advantage of us and the Commonwealth herein. And our Deputy and Council of Ireland are to take care that this our pleasure be put in execution and that the said Colonel Ingoldsby be put into the immediate possession of the aforementioned Castles and lands and that as soon as may be a survey be made of the said House Castles, Garden, and Lands distinguished by the quantity of acres, meets, and bounds, with the valuation answerable to the aforesaid debt. And that they make certificate unto us thereof so soon as the same is effected. Given at Whitehall the 21th of February 1654.¹⁴⁰

To the Lord Deputy and Council

Having received information that Sir Andrew Aylmer hath suffered very great losses by the Irish, by burning his house at Donneday and taking away his cattle and goods for his adhering to the English, and that he lived peaceably at home, paying contribution to the English army until he was necessitated to quit the same, being brought under the power of the enemy, and that he never took up arms, but came in upon our Proclamation and desired protection from us, and hath ever since lived quietly paying contribution. Wherefore, if this be the truth of his case, we think fit that he be permitted to live peaceably

¹³⁸ Probably Clonderalaw, which was given to Ingoldsby who had been governor of Clare for several years. See James Frost, *History of County Clare* (1893).

¹³⁹ Cratloe.

¹⁴⁰ Copy in *Rawl. MSS. A 261*, ff. 35v-36v.

upon his estate, paying contribution, and not to be transplanted amongst the Irish into Connaught, where he fears that he and his family would be starved or knocked on the head by the Irish, who are enraged against him for his constant adhering to the English, and for that he took some of the Irish prisoners and carried them to the Naas where they were hanged. Indeed in such cases a consideration ought to be had and a distinction to be made of persons, which we would have you to do in this, if it appears to you to be as it is suggested to us.¹⁴¹

Feb. 21.

The last week of February, 1655, like most of the Protector's time, was filled with a confused mass of business, private as well as public, rather than with great matters of state. It was apparently on the 21st that he went to Hampton Court with some of his Council to attend the wedding of his niece, Robina Sewster, to Judge, later Colonel Sir William Lockhart,¹⁴² and there was no Council meeting that day in consequence. At the meeting on the 23rd it was noted that he approved of ten orders made between February 14 and 20, in addition to his approval of an order for continuing commissioners for customs in accordance with Article 27 of the *Instrument*;¹⁴³ and on that day he signed a letter to Philip IV of Spain on behalf of the claim of one Benjamin Wright for money due him from that monarch:

Oliver, Protector of the Commonwealth of England, Scotland and Ireland &c. To the most Serene and Potent Prince Philip the Fourth, King of the Spanish Dominions &c. Greeting.

Most Serene and most Potent King,

In a petition it hath been represented to us how, between the years 1630 and 1644, Benjamin Wright of this Commonwealth, Knight of the Golden Fleece, Merchant, residing at Madrid, put out large sums of money, to the value of a hundred thousand English pounds and more, for the purpose of transporting Soldiers from Spain into the Low Countries, and for the pay of your troops that are in that place. The accounts of these sums have been audited and found correct. Since at the time the money for the payment of this debt was not at hand, it pleased your Majesty and your Council to give him assign-

¹⁴¹ Dunlop, *Ireland under the Commonwealth*, ii, 482-3, from Letters of the Protector A/28, 26, f. 51, with additional note that "Sir Andrew Aylmer, in spite of this letter, does not appear to have received much satisfaction from the Irish Government. His estate of Donneday or Donadea, with other lands in co. Kildare, passed into the possession of Dr John Owen. . . . But at the Restoration Aylmer obtained an order for its recovery."

¹⁴² Clarke Papers, iii, 23; Paulucci to Sagredo, March 5/15 (*Cal. S. P. Ven.*, 1655-6, p. 33). Noble says the wedding was in April, 1654; *Dict. Nat. Biog.* puts it on July 2, 1654; cp. Lomas-Carlyle, i, 253. *Chronicle of Fife*, p. 115, says Lockhart was given the palace of Falkland with the castle and park of Stirling (for Falkland cp. *Cal. S. P. Dom.* (1655), p. 265).

¹⁴³ *Ibid.*, pp. 50-51.

ments on your Royal revenues; of these he had receipt for some years according to that which had been agreed and covenanted. But from the year 1647 these assignments were cancelled, and from that time there was no provision from any other source for recovering the Debt. And so your Majesty is debtor to him for about ninety thousand pounds of English money, as he reports. By the loss of this money not only he himself and his relatives, but very many citizens of this Commonwealth who are his creditors will be reduced to extreme want and wretchedness. Wherefore it has seemed best, and we have held ourselves bound, in justice to him and to his creditors, to write these letters in his name to your Majesty. And this we do with even more ready inclination, since the said Benjamin Wright has performed very many good offices to the people of both states when occasion offered from time to time; for which reason we deservedly hold him in very high esteem; so also your fortunes, as we have understood, were in no slight degree assisted and relieved by that money which at that time he gave to your Majesty as a loan. Just as at that time you showed that you accepted that kindness as a friend, so also now we do not believe that the memory has been wiped out. And we have confidence not only in your good-will toward him, but in your settling the matter at the earliest possible moment with all grace and kindness. This we request of your Majesty insistently and by this favor you will hold us bound to like services of Friendship to your subjects as occasion shall arise. May the gracious and almighty God keep your Majesty long in security.

Given from our Court at Westminster the 23rd of February in the year 1654[–5].

Your good Friend,
OLIVER P.¹⁴⁴

It is of some interest to note that on the next day, the 24th, with the advice and consent of the Council, he ordered eight ships of war and a thousand landsmen, in addition to the ships' crews, sent to reinforce the West Indian expedition.¹⁴⁵ For some reason now unknown, he also ordered the *Paradox* to take one John Edwards to Flushing at about this time;¹⁴⁶ and, more important, a proclamation, which had been requested by the Council, was published prohibiting horse-racing for six months, as a means of preventing assemblies of Royalists to conspire under guise of this sport.¹⁴⁷ At the same time a letter from Cromwell's secretary, Malyn, reported to the Earl of Lothian that the Protector had ordered money sent to Holland to discharge the debts and pay the

¹⁴⁴ Trans. of copy in *Rawl. MSS.*, A261, ff. 36v–37, pr. in App. II (31).

¹⁴⁵ Thurloe, iii, 297; *Cal. S. P. Dom.* (1655), p. 53.

¹⁴⁶ Report of Admiral Lawson to Admiralty Committee, Feb. 23, that the *Paradox* was going to Flushing with Edwards by the Protector's order (*ibid.*, p. 434).

¹⁴⁷ Publication requested, ordered Feb. 23 (*ibid.*, p. 50); proclamation read, amended, passed in Council, Feb. 24 (*ibid.*, p. 53). Cal. in Crawford, i, 367. Cp. also *Perf. Diurn.*, Feb. 24, 26 (gives latter date as that of publication); *Clarke Papers*, iii, 24; Abbott, *Bibliog. of O. C.*, no. 781.

funeral expenses of Lothian's father, the Earl of Ancram, who had died in Amsterdam in complete poverty late in 1654.¹⁴⁸

During this comparatively quiet interval in the activities of the Protector and the Council, the examination into the plots and the measures to counteract them went on apace. On February 19 a committee from the City of London attended the Protector at Whitehall to express its gratitude for the measures he had taken to protect the capital and its willingness to co-operate with him.¹⁴⁹ Of the individuals suspected of complicity in the designs, Harrison, Carew, Rich and Courtney were reported in custody of a Council messenger.¹⁵⁰ Sexby was still being sought for.¹⁵¹ An anonymous letter reported the seizure of one Read, servant to Sir Francis Mackworth, with letters, and his confession of having brought in eight hundred cases of pistols.¹⁵² Another suspect, Gardner, was seized with horse-arms and a commission.¹⁵³ Yet in spite of — or on account of — these captures it appears that the Protector believed the situation so well in hand that on February 20 the Council passed an order to release several men lately landed at Rye from France and held there in accordance with the previous order to seize all such persons, and also recommended that men be permitted "to go beyond sea as formerly, the late restraint notwithstanding."¹⁵⁴ This obviously did not mean that the danger was over. The committee on militia which Cromwell had nominated for London was reported to have held several meetings and planned to raise three regiments of eight hundred men each.¹⁵⁵ Letters of the Royalists noted the earlier increase in the number of guards which had been set at the end of every street in the City,¹⁵⁶ only the foregate to Whitehall not being thus stopped.¹⁵⁷ Nor did it mean the complete cessation of arrests or free passage overseas. On February 21 Colonel Skepwith was seized in Norfolk and others in other places;¹⁵⁸ and various Royalists who had been stopped at the ports under the old order were imprisoned.¹⁵⁹ On that same February 21 it was noted that Harrison, Rich, Courtney and Carew kept a day of humiliation at Mr. Persons' in Westminster, where they were con-

¹⁴⁸ *Correspondence of Ancram and Lothian*, ii, 388; cp. also *Dict. Nat. Biog.*, "Kerr" (xxxii, 56).

¹⁴⁹ *Perf. Diurn.*, Feb. 19–26.

¹⁵⁰ *Ibid.*

¹⁵¹ G. Forsington to Cromwell, Feb. 19, Thurloe, iii, 162–3; Croke to Cromwell, Feb. 21, *ibid.*, p. 165.

¹⁵² Macray, iii, 20.

¹⁵³ *Ibid.*; and cp. *supra*.

¹⁵⁴ *Cal. S. P. Dom.* (1655), p. 47; the latter recommendation approved Feb. 23.

¹⁵⁵ *Perf. Diurn.*, Feb. 21.

¹⁵⁶ Ormonde to Hyde, Feb. 21/Mar. 3, Macray, iii, 21, no. 72.

¹⁵⁷ Hague, Feb. 20/Mar. 2, *Nicholas Papers*, ii, 206.

¹⁵⁸ *Sew. Proc.*, Feb. 21.

¹⁵⁹ Ormonde to Hyde, Feb. 21/Mar. 3, Macray, iii, 21, no. 72; also Manning to Thurloe, Mar. 3/13, Thurloe, iii, 190, and Macray, iii, 23, nos. 78–9.

fined.¹⁶⁰ The examinations conducted by Barkstead on February 22 and those reported from Carnarvon by Thomas Kynaston on the 23rd revealed nothing of importance.¹⁶¹ The next day a letter from Major Boteler informed the Protector at great length of the causes of the dis tempers in Bristol and the state of the garrison, which the government considered abolishing.¹⁶² On the other hand, on that same February 24 the Protector and Council issued orders for the imprisonment of Garrison in Carisbrooke Castle, Carew in Pendennis, and Courtney in Cowes, while Rich was kept in custody in Westminster.¹⁶³ These precautions were reinforced by an order to the Middlesex authorities:

To our Trusty and Wel-beloved the Justices of the Peace for our County of Middlesex.

OLIVER P.

Trusty and Welbeloved, We greet you well. Whereas We have received Information, That a more then usual number of idle and dissolute Persons, and such as cannot give a good Account how they get their livings, being as well strangers of the Irish, and other Nations, as Natives, do lurk, and are entertained in the County of Middlesex, but especially in the parts adjacent to the City of London; and that the said Persons are suspected to have lately committed divers Robberies in the Highways, Burglaries, and other Felonies and Outrages. For the better prevention of which mischiefs and misdemeanors for the future. We require you to cause Watches and Wards to be from time to time kept (in all such places where you may have cause to suspect that such Persons as aforesaid do, or may frequent) of a competent number of able and honest Persons well armed, and fit for the apprehension of such Malefactors as aforesaid: And that such Watchers do continue from Sun-setting until Sunrising, and that then they be relieved by the Wards, who shall continue all the day until Sun-setting; And that you cause the said Malefactors, together with such Persons as shall be found walking in the streets at unseasonable hours in the night, and such other persons as wear good clothes, and haunt Taverns and Alehouses, and spend much money in drinking and tipling, and other debauchery, but cannot give a good acompt how they get the said money, to be convented before some one or more of you, to be exammined, and further thereupon to be proceeded against according to the Law. And also, that you take a strict course for the punishment of such High and Petty-Constables, Head-boroughs, Watchmen, and Warders as shall happen to be remiss and negligent, or otherwise misbehave him or them in the execution of their respective Duties and Offices herein. And further that you cause strict privy searches to be made for such persons as aforesaid, in all suspitious places once in every Month at the least. And herein we require your especial care and dili-

¹⁶⁰ *Sev. Proc.*, Feb. 21.

¹⁶¹ *Thurloe*, iii, 166-8, 169.

¹⁶² *Ibid.*, pp. 170-2.

¹⁶³ Before their imprisonment they were offered the alternative of retiring to their own counties, which they refused. *Clarke Papers*, ii, 244-5; see also *ibid.*, iii, 23; *Ludlow, Memoirs*, i, 380; *Perf. Diurn.*, Feb. 24; and *Nieuport to States General*, Mar. 2/12, *Add. MSS.*, 17677, w. fol. 50.

gence, which may conduce to the publick Peace and Tranquility, not only of your particular County, but of this Nation in General, this City of London with the suburbs thereof and parts adjacent thereunto, being the common receptacle, of very many ill disposed People thither, resorting from all parts of this land.

Given at Whitehall this 22 of February, 1654.¹⁶⁴

On February 26 he granted letters patent to allow Swansea to be a free town and borough.¹⁶⁵

To this he added on the same day a letter to the King of Portugal in regard to the restoration of or compensation for the property of that Manuel Martinez Dormido, whose appeal for his fellow Jews the Protector had earlier recommended to the Council:

To the most serene Prince, John IV, King of Portugal and Algarve.
Most Serene King,

As for the fact that we are addressing your Majesty at this time by this our letter, this we are doing at the request and entreaties of David Abrabanel, a Jew by nationality, who, since he trusted that our favor would have great influence with you on account of your gentleness and kindness, has supplicated us not to be annoyed at interceding for him with Your Majesty by our letter, to the end that, namely, you may consent efficaciously to order your subjects living at Pernambuco and other places under your authority in Brazil, to pay in good faith those debts which are owed by them to Solomon and Daniel Dormido, his sons. Indeed it has been pointed out that although the surrender of the title deeds (muniments) should have been made on that condition, nevertheless a debtors' reservation was stipulated, and the debts were to be paid according to the contract and instrument. Wherefore, the justice of the matter having been weighed, very much desiring that your royal clemency be extended to the said supplicant, on account of that good friendship which exists between us and which has been strengthened by the recent tie of alliance, we ask Your Majesty kindly to contrive something efficacious in order that the said debts may be paid truly and as soon as possible according to the contract. This indeed will be most pleasing to us, who shall gladly make good this service of kindness with equal proofs of a grateful and ready good will. May God the Greatest and Highest long keep Your Majesty safe. Given from our Hall of Westminster, on the 26th of February, in the year 1654/5.

Your good friend,
OLIVER P.¹⁶⁶

¹⁶⁴ *Perf. Diurn.*, March 6, 1654/5.

¹⁶⁵ Charter pr. in L. W. Dillwyn, *Contributions towards a History of Swansea* (Swansea, 1840), pp. 6-12; accepted by the Corporation on March 8, 1654-5 (*ibid.*, p. 12). Dated 1655-6 in *Royal Hist. Soc. Trans.*, ser. 3, vi (1912), 131. Cf. Thos. Nicholas, *Hist. and Antiquities of Glamorganshire* (1874), p. 160, and Merewether & Stephens, *Hist. of the Boroughs and Municipal Corporations* (L., 1835), iii, 1682.

¹⁶⁶ Latin in *Rawl. MSS.*, A261, f. 37v; pr. in *Jewish Hist. Soc., Trans.*, iii (1899), 93.

So far as one may judge from the evidence, the Protector was disturbed in these early days of 1655 at the increasing evidence of disorder, dissatisfaction and more or less open discontent with him and his activities. This seems to have been apparent even among some members of the Council itself. The departure of Cooper from that body was not the only evidence of this. The usually well-informed Venetian envoy reported that the Protector was disturbed at the absence of some of its members from their posts since the dissolution of Parliament without any reason of which he was aware,¹⁶⁷ though it might have occurred even to him that the dissolution itself had some share in their disaffection. Paulucci further observed that the grumbling about the taxes had abated somewhat, though, as he noted, it seemed to be chiefly because of the increasing number of troops,¹⁶⁸ presumably in London and Westminster. In the main the members of the Council who still attended its meetings had to do chiefly with matters of minor importance¹⁶⁹ in these days, though on February 28 when that body met with the Protector at Whitehall¹⁷⁰ a committee was ordered to consider the settlement of a civil government in Scotland,¹⁷¹ and the declaration in regard to the continuance of the excise and new impost was approved by the Protector and ordered to be published.¹⁷²

He also addressed the Jersey authorities in an effort to settle the government there:

To our trustie and well-beloved Colonel Robert Gibbon, Governor of our Isle of Jersey, and Michael Lemprière, Bayliffe there, or either of them.

OLIVER P.

Trustie and well beloved, we greete you well. Having understood that (at present) there is a great faile of justice in our Isle of Jersey, for want of the usual number of able and faithful jurats, dulia to administer justice to the people there, as also to be assistant to the chiefe officers of that our Island (there being now left but only one jurat besides the bailiffe as we are in-

¹⁶⁷ Paulucci to Sagredo, Feb. 26/March 8, *Cal. S. P. Ven.* (1655-6), p. 28. Montagu, Pickering, Skippon and Sydenham were absent more than ten times each between Jan. 22 and March 1. *Cal. S. P. Dom.* (1655), p. xxv.

¹⁶⁸ *Cal. S. P. Ven.* (1655-6), p. 28.

¹⁶⁹ Feb. 27, petitions referred to them by the Protector, and order to William Thomas, keeper of the late standing wardrobe at Windsor Castle, to deliver to Kinnersley all hangings belonging to the Commonwealth for Cromwell's service. (*Cal. S. P. Dom.*, 1655, pp. 55-7.) Request from Lislebone Long, Master of Requests for Commissioners of Sequestration to meet with the Protector on the 28th in regard to a petition from one Mason about £300 he had received from Mason claimed by the Commissioners. (*Cal. Comm. for Comp.*, p. 719; cp. also *ibid.*, p. 694).

¹⁷⁰ *Perf. Diurn.*, Feb. 28; *Cal. S. P. Dom.* (1655), p. xxv.

¹⁷¹ *Ibid.*, p. 59.

¹⁷² *Ibid.*; *Excise Coll.*, vol. 98, pp. 155-7 (June, 1655); *C.O.B.* I, 76a, pp. 20-1; Abbott, *Bibliog. of O. C.*, no. 775.

formed). And consideringe of what absolute necessitie it is, that great care be taken (as in all times, so especially in this) that faithful magistrates be made choice of there, as in all other places of these dominions, that the people may be peaceably and quietly governed, in all pietie and honestie, and according to the laws and customes; and we having received particular information of the abilitie, faithfulness, and good affection of the persons whose names are mentioned in the schedule annexed,¹⁷³ and of their fitness for so great a trust, as to be made jurats of the said Isle; We have thought it necessary (for this time only), after the late troubles and divisions which have been amongst us, wherein things have been much unsettled, and for preventing any inconveniences which may ensue in case disaffected persons should get into that trust, to recommend unto you those gentlemen named in the schedule, with our earnest desire that they be forthwith sworne jurats of our said Isle, that so the public justice may have its passage, and be duly administered to the people; hereby commanding you to communicate this our desire to the inhabitants of the said Isle, of whose duty and good affection wee are well assured; and so committing this weightie business to your careful and prudent management, we bid you farewell.

Given under our privie signet at Whitehall, the last day of February
1654[-5].¹⁷⁴

It was also at this time that he took two very different steps to secure the position of his government. The first was a letter to Major Boteler to praise the loyalty of the authorities of Bristol and so, perhaps, soften the blow of the accompanying order to demolish Bristol Castle;¹⁷⁵ the second was an interview with the Quaker leader, George Fox.

The demolition of Bristol Castle was interpreted to Cromwell's disadvantage by his enemies. Ludlow in particular attributes it to the fact that, as in the case of Colonel Whetham, governor of Portsmouth, the Protector dared not leave such a post in charge of a person of so much honor and worth as Colonel Adrian Scrope, who was then its governor and, like Whetham, was presently sent to Scotland as a commissioner there.¹⁷⁶ It seems more probable, however, that this step was taken as

¹⁷³ Mr. Abraham Herault. Dr. Aaron Gurdon. Mr. Philip Carteret, of la Hague. Dr. Nicholas Lemprière. Dr. Denis Gurdon. Mr. Philip Messervy, of Bagot. Mr. Philip le Febvre. Mr. James Lemprière, of the Towne. Mr. Thomas le Marinel. Mr. Simon Sebirel. Mr. John de Rue. Mr. Simon Esnouf.

¹⁷⁴ Chas. le Quesne, *Constitutional History of Jersey* (L., 1856), p. 342.

¹⁷⁵ Ludlow, *Memoirs*, i, 394 and note. Reply Feb. 28, and letter to Cromwell from Mayor and Council of Bristol in Thurloe, iii, 182, 184. Boteler notes an order to the Deputy Governor of Chepstow which Cromwell apparently forgot to enclose.

¹⁷⁶ The castle was ordered slighted June 24, 1655. Cp. *Cal. S. P. Dom.* (1655) for Scrope's appointment to Scottish Council; p. 108 instructions include his name as of March 30; p. 152 (May 4), advice that Council consist of nine men, including Scrope; p. 309 (Aug. 30), salary as member of Council to begin May 1. Boteler had written Cromwell on Feb. 24 (Thurloe, iii, 170-72) and it may be that the Protector's letter and order were in reply to that.

part of the measures then on foot to prevent the disaffected elements from gaining a stronghold which might serve as a rallying-point for a new insurrection. That these elements caused him much uneasiness is shown not only by the military precautions taken against them but by the efforts made by the Protector to conciliate their leaders, as revealed by his interviews with them. Among others, he had already interviewed Rogers and he now summoned before him George Fox who had recently been arrested at Whetstone in Leicestershire and brought to London in company with Captain Drury. In an audience with the Protector the Quaker leader promised not "to take up a carnal sword or weapon" against the government, in accordance with a demand of the Protector and with Fox's own principles. Like Rogers, Fox improved the opportunity to enter into a long harangue against ministers who "preached for hire," and against that part of Christendom, so-called, which wanted not only the Scriptures but also the power and spirit behind them. Rogers' cynical observation a few days earlier that those who interviewed the Protector generally came away thinking that he agreed with them, found a curious commentary in this interview. The Protector, according to the accounts of the event, expressed approval of Fox's position and said to him at parting, "with tears in his eyes," "Come again to my house, for if thou and I were but an hour of a day together, we should be nearer one to the other," adding, said Fox, "that he wished me no more ill than he did to his own soul." After Fox had left, the Protector, according to Drury, declared that he was free and might go wherever he chose. The Quaker leader was taken to the dining-hall and told that the Protector had ordered that he might dine there, but Fox refused and when this was reported to Cromwell, the Protector declared "Now I see is a people risen and come up that I cannot win either with gifts, honours, offices, or places; but all other sects and people I can"¹⁷⁷ — a sentiment which Rogers, at least, would have indignantly repudiated.

Making all allowances for the natural prepossession of the Quakers for Fox, as of the Fifth Monarchists for Rogers, which colored their accounts of these interviews, it is apparent that Cromwell was using the same tactics with them as those by which he had earlier attempted to win the support of the Scottish Covenanters against the Royalists in Scotland. He relied greatly, and not without reason, on his ability to conciliate the leaders of the parties opposed to him, and he was as ready to wield the

¹⁷⁷ Fox, *Journal* (1924), pp. 105-7; T. Hodgkin, *George Fox* (1896-7), p. 108; *Perf. Diurn.*, Feb. 26; Richard Coffin, *Truth's Testimony; Turne Over, Behold and Wonder.*

When Fox was with the Protector, "he was very loving to him, and wished him to come again to him; and afterwards set him free to go whither he pleased." (Alex. Parker to Marg. Fell, March 10, 1655, *Friends' Library*, xi (1847), 332.)

weapon of the spirit as that of the flesh. He had, in fact, much in common with even the more fanatical sects. Within limits he sympathized with them; he had no desire to throw down the ladder by which he had climbed; and short of failure to recognize his own supremacy, he was prepared to make these men any sort of concession which was compatible with that supremacy. If he did not succeed in securing the whole-hearted support of such men as the Quakers and the Fifth-Monarchists, he did what he could to break down the opposition of those groups. That he could not, only revealed the difficulties of his situation, condemned as he was to suppress Royalist Anglicans on the one hand and the more extreme sects on the other, or relinquish his office and his cause, which had by now come to be all but inseparable.

March, 1655, began in the same fashion as February had ended, in a mass of unimportant details¹⁷⁸ before the Protector and Council, of which only two seem to have directly concerned the former. At his request, one John Hobson, J. P. of Lincolnshire, was required to appear before the Council to answer the charge of having apprehended three men on their way to a religious exercise;¹⁷⁹ and John King petitioned for £40 he had spent in fitting up lodgings in King Street from which he was ejected to make room for Cromwell's "family," presumably his servants.¹⁸⁰ By this time various arrangements growing out of the administrative reorganization of the Protectorate were becoming effective. On the first of March, Lord Broghill's salary as President of the Council in Scotland began;¹⁸¹ and it was reported that the Protector's ordinance of August 21, 1654, regulating Chancery, which had been suspended by the late Parliament, was again in force.¹⁸² In such fashion was Broghill rewarded for his services in Ireland and his devotion to Cromwell. The

¹⁷⁸ Petitions considered on March 1 and 2, from the "Church of Christ" in Wedmore, Somerset to use a room of the "Church House" when court was not in session (*Cal. S. P. Dom.*, 1655, p. 61) which was granted; request from the widow of Sir Thomas Jermyn for restoration and execution of the Registrar's office in Chancery, with fees, for herself and family (*ibid.*, pp. 63, 284-5) on which no action was taken; permission to Dr. Charles Croke, rector of Amersham, to substitute one Edward Terry while he was absent settling his lands in Ireland (*ibid.*, p. 63), which was later approved; request of Benjamin Whichcote, Provost of King's College, Cambridge, for two years' arrears on Henry VI's grant of two tunns of wine yearly, later commuted for £10 a year (*ibid.*); and request of Lawrence Maidwell, a clerk of Chancery, for order to sell half the estate of Cuthbert Morley, forfeit for delinquency, which Maidwell claimed to have discovered, with an annexed petition from Lt. John Colson and John Cholmley of orders to the Drury House Trustees, signed by the Protector (*ibid.*, p. 64).

¹⁷⁹ *Ibid.*, p. 62. Advice for this was issued Feb. 19, approved Feb. 23 (*ibid.*, p. 46).

¹⁸⁰ London County Council, *Survey of London*, xiii, 236-7, from P. R. O., S. P. 25/102, p. 196, see p. 239 for plan.

¹⁸¹ *Cal. S. P. Dom.* (1655), p. 290 (Aug. 16, 1655).

¹⁸² *Perf. Diurn.*, March 1.

Irish situation was described to the Protector in a letter from Fleetwood on February 28 which incidentally noted approval of Cromwell's declining the legislative power, which he had so carefully avoided in the phraseology of his early Protectoral documents, since, as Fleetwood observed, he could not have exercised it under the provisions of the *Instrument of Government*.¹⁸³ Meanwhile the question of foreign affairs and the problems of the plot pressed upon the government. The Venetian resident at Naples reported that Blake was very secretive about his orders and plans and that the Spaniards were becoming alarmed because English merchants appeared to be winding up their affairs.¹⁸⁴ On the other hand the Protector wrote to Whalley in Scotland for information in regard to Overton's designs:

To Judge Advocate Whalley
[Substance only]

Send all the material papers which were found about Major Bramston and all depositions against officers tried before the Court Martial in Edinburgh for implication in Overton's plot.

March 2, 1654-5.¹⁸⁵

To this it was answered that the papers had been sent and that officers had admitted that letters had been directed to persons in various regiments in Scotland designed to cause mutiny and divisions in the army. On the basis of this evidence there seemed no question that the "Overton plot" — if it can be so called — had at least some form and substance, however impracticable it may have been. It was enough at least to give the government some concern, though by this time, with Overton himself in custody, it seemed innocuous enough. None the less it was disturbing to find disaffection so widespread in the only force which the government had left to maintain itself, that is to say the army. Apart from his general policy of endeavoring to win his opponents over by argument and conciliation, it is easy to see why at this juncture especially the Protector was anxious to meet men like Rogers and Fox face to face and do what he could to convince them that their aims and his were — within limits — essentially the same. From many directions there came evidence that the spirit of opposition to his virtual dictatorship was coming to a head, not only among the Royalists and the sects but even in the army, and it was further evidenced at this moment by the appearance of the *Declaration of the free and well-affected people of England now in arms against the Tyrant Oliver Cromwell*.¹⁸⁶

¹⁸³ Thurloe, iii, 183.

¹⁸⁴ Rosso to Doge, March 9, *Cal. S. P. Ven.* (1655-6), p. 29.

¹⁸⁵ Reply, dated March 8, in Thurloe, iii, 205-6.

¹⁸⁶ Crawford, i, 367-8, lists two editions, and says this is the declaration which Wildman was writing when he was arrested, Feb. 10. Ms. date March 16. See also Abbott, *Bibliog. of O. C.*, nos. 747 and 799, and *supra*.

Nor was the Protector content to depend merely on the sword of the spirit to oppose or suppress these manifestations. Measures were taken to guard the port of Dover;¹⁸⁷ to imprison a certain Captain Harris for forging the Protector's signature;¹⁸⁸ and to order three large companies of horse to march through the streets of London on Shrove Tuesday with groups of mounted men moving here and there through the capital to guard against any outbreaks by the apprentices¹⁸⁹ for whom it was a holiday and against whose excesses it was necessary to provide especially at such a time as this. In spite of these and similar precautions, so many Royalists were finding their way to the Continent that Ormonde concluded the Protector was ill-served or that the Royalists were well-befriended.¹⁹⁰ The former, at least, was not entirely true. Though the man to whom Wildman dictated his *Declaration* was reported to have escaped,¹⁹¹ and Sir John Digby, who used the alias "Harrison," was suspected of having a part in the intrigues,¹⁹² Major Boteler wrote to the Protector enclosing the examination of one Stradling, whom he considered "able to discover as much in the late plott as any one man," and stating that Colonels Slingsby and Pigott, both apparently Royalists, were under restraint.¹⁹³ Meanwhile the government secured the services of Henry Manning as a spy and it was not long before his letters to Thurloe kept it informed of many of the designs of those conspiring against it.¹⁹⁴ Meanwhile, too, it appears that the Protector issued a pass to the Duke of Buckingham to come to England to raise funds to keep himself alive. The Duke protested to his friend Jannot, whom he met on a boat at Antwerp, that it was the King's unkindness which had forced him to go to England and that he was returning to Paris without using the Protector's pass,¹⁹⁵ though in view of Buckingham's well-known character not much dependence can be placed on either statement. The only discoverable document relating to this period, however, is an insignificant order for money for the expenses of the Council:

OLIVER P.

Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland and the Dominions thereunto belonging.

To our right trusty and right well beloved Bulstrode Whitelocke, Sir Thomas Widdrington and John Lisle, Lords Commissioners of the Great Seal of

¹⁸⁷ Thos. Wilson, governor of Dover, to Thurloe, Feb. 26, Thurloe, iii, 179-80.

¹⁸⁸ *Perf. Diurn.*, Feb. 27.

¹⁸⁹ Paulucci to Sagredo, March 5/15, *Cal. S. P. Ven.* (1655-6), p. 32.

¹⁹⁰ Ormonde to [Hyde?], Mar. 3/13, Macray, iii, 23, no. 78.

¹⁹¹ *Perf. Diurn.*, Feb. 27.

¹⁹² John Brooke to Cromwell, Feb. 27, Thurloe, iii, 179.

¹⁹³ *Ibid.*, pp. 181-83. Mayor of Bristol's letter to Cromwell praising Butler mentions Cromwell's letter to Boteler received Feb. 27.

¹⁹⁴ *Ibid.*, p. 190, Manning to Thurloe, March 3/13.

¹⁹⁵ Ormonde to Hyde and Nicholas, Feb. 27/March 9, Macray, iii, 22, no. 74.

England, Henry Rolle Lord Chief Justice of the Upper Bench, Oliver St. John, Lord Chief Justice of the Common Pleas, and Edward Montagu and William Sydenham, two of Our Council, Commissioners of Our Treasury, Greeting:

Our will and pleasure is and we do hereby authorize and require these or any two or more of you, that out of such Our Treasure as is or shall be remaining in the Receipt of Our Exchequer you forthwith pay or cause to be paid unto William Jessop, Esquire, Clerk of Our Council, the sum of fifteen hundred pounds for special and immediate service of the Commonwealth. And for so doing this present shall be a sufficient warrant and ***** to you the said Commissioners of Our Treasury and to others Our Officers and Ministers of the Receipt of Excise.¹⁹⁶

4 March 1654[-5].

The second week of March continued the dull routine business of the Council which on March 5 resolved to sit every Tuesday, Wednesday and Friday. It considered the information of Lady Mary Darcy concerning silver found in a wrecked ship taken from the French;¹⁹⁷ confirmed the commission for John Price as one of the Commissioners for receiving appeals in Excise cases in place of the late Henry Elsing — after a year's delay;¹⁹⁸ noted the Protector's approval of eleven orders relating to official seals dating from August 25, 1654 to February 21, 1655;¹⁹⁹ and on Friday the 7th, though there was apparently no formal meeting, the members kept a private fast with the Protector at Whitehall.²⁰⁰ On that day the merchants who had suffered losses from the Portuguese petitioned the Protector and Council to designate Queen Christina as an arbitrator.²⁰¹ In the name of the Protector the Admiralty decreed that the commissioners for prize goods should restore to the Spanish ambassador 30,000 reals of plate and as much Mexican coin seized in the *Morning Star* by ships in the "immediate service" of the Commonwealth;²⁰² while the "commissioners for the southern expedition" presented to the Protector a detailed schedule of the provision required.²⁰³

More important than these details, however, were the provisions made for keeping the peace. It was noted that the Protector had approved

¹⁹⁶ From a photostat of the original owned by an antique dealer in Cambridge, England, sent by Rev. E. C. Moule, Vicar of Trumpington. Signed by Edm. Prideaux, and receipted by Jessop.

¹⁹⁷ *Cal. S. P. Dom.* (1655), p. 67.

¹⁹⁸ *Council Letter Book*, I, 75, p. 709, cal. in *Cal. S. P. Dom.* (1655), p. 66; still unsettled May 15, 1656 according to letter annexed.

¹⁹⁹ *Ibid.*, pp. 43, 47, 69.

²⁰⁰ *Perf. Diurn.*, March 7.

²⁰¹ Thurloe, iii, 198-201.

²⁰² *Ibid.*, pp. 201-2.

²⁰³ *Ibid.*, p. 203-4.

and commissioned the officers of the London militia,²⁰⁴ and that for a whole week he and the Council had been considering persons in each county to raise the militia.²⁰⁵ On that same 9th of March the committee to which the Protector had referred a petition from the Isle of Jersey made its report to him,²⁰⁶ and Colonel Jones reported on the fines imposed on the Scottish nobility and gentry amounting in sum to over £47,000.²⁰⁷ In the meantime, besides these details, the Protector signed various documents,²⁰⁸ including orders to Colonels Crowne and Mackworth:

To Colonel William Crowne

It being justly apprehended that the Cavaliers party intend speedy execution of a very evil design in the parts about Shrewsbury, which they specially intend because of the weakness of the garrison and the multitude of Malignants thereabouts: I send you down some Commissions for a regiment which you are to command for the protection of the honest party and the securing of Shrewsbury garrison. You are to repair thither and advise with your friends about this and other instructions which I have given to the Governor there to whom I have lately sent a troop of horse.

P.S. — I also send you a Commission for a troop.

Whitehall

5 March, 1654–5.²⁰⁹

To Col. Humphrey Mackworth, Governor of Shrewsbury

Keep on the look out for one Sir Thomas Harris who is said to be a leader in the designed insurrection. A troop is being sent to reinforce the garrison there.

c. March 5, 1654–5.²¹⁰

To this Mackworth replied that a general insurrection in England and Wales was planned but that the leaders were known and would probably be apprehended before they could join forces. Besides this the

²⁰⁴ *Perf. Diurn.*, March 7.

²⁰⁵ *Clarke Papers*, iii, 24, (March 10, 1654–5).

²⁰⁶ Thurloe, iii, 213.

²⁰⁷ *Cal. S. P. Dom.* (1655), pp. 70–72.

²⁰⁸ Reference to the Council of Pordage's second petition appealing from his ejection from Bradfield rectory, with request to peruse and advise (*ibid.*, p. 73).

²⁰⁹ *Shropshire Arch. and Nat. Hist. Soc. Trans.*, ser. 3, x (1910), 141; *Cal. S. P. Dom.* (1655), pp. 259–60, annexed to a petition from Crowne to the Protector. Thos. Blore, *History of Rutland* (Stamford, 1811), p. 129, says that in early March troops of horse were sent to Shrewsbury to relieve the 70 men of the garrison after rumors of danger near the Welsh border.

²¹⁰ This may have been earlier than March 5 if it is the communication received March 4 from the Protector and Council giving information of Sir Richard Willis, Cromwell's spy, and putting the governor on his guard. Contents derived from Mackworth's reply of March 8 in Thurloe, iii, 208. This Colonel Mackworth was the son of the Humphrey Mackworth who died in Dec., 1654.

only documents in this particular period are a commission to Robert Nicholas as Justice of Assizes in Wiltshire²¹¹ and a pass for a certain James Thompson, who, if not the same person, had the same name as an earlier colleague of Cromwell in the Eastern Association:

To all officers and soldiers and to all Captains and Commanders of the ships of this Commonwealth and to all others whom this may concern

OLIVER P.

By his Highness the Lord Protector

These are to require you to permit and suffer this bearer Mr. James Thompson quietly to pass to any convenient port and from thence to transport himself for Flanders without any let, trouble or molestation: Notwithstanding any late order of restraint to the contrary. Given at Whitehall the 8th day of March 1654[-5]²¹²

From such matters the Protector's attention was turned to Ireland where, the extended dead-line for transplantation having been passed, pressure was now brought to bear to force compliance with its provisions. A declaration was ordered on March 7 for the Commissioners General to enforce "sale of the corn of such Irish proprietors and others that did not transplant themselves" and to use the money to buy corn for the relief of those who had gone to Clare and Connaught and might be in need of it.²¹³ That great movement of population which was designed to remove those opposed to the English government to the less hospitable western portion of the island and leave the more fertile eastern lands to the supporters of the Protectorate had made but little progress thus far. That policy was still a subject of controversy even among the Cromwellians and it was emphasized by the appearance of the attack on Gookin's pamphlet by Colonel Richard Lawrence, the brother of the President of the Council, entitled *The Interest of England in the Irish Plantation*.²¹⁴ The difficulties, in fact, were very great. Not only was there not enough confiscated land to satisfy the claims of the soldiers and Adventurers but there were disputes among the various classes of claimants, especially among the soldiers; it was difficult or even impossible to decide which of the Irish should go; and it was impossible to find workers to take their places if they were all transported. Still more than

²¹¹ Document for sale by Sotheby July, 1927, among the effects of Nigel Stopford-Sackville and others. Nicholas and Chief Justice Rolle arrived in Salisbury March 10 for the assizes.

²¹² A James Thomson, as member of the committee of the Association, signed with Cromwell and others a pass for Abraham Whelocke on Apr. 4, 1643, and letters on Jan. 26 and 27, 1642-3. This may or may not be the same man. Doc't cal. in *Cal. S. P. Dom.* (1655), p. 578, from orig. in *S. P. Dom.* XCV, 15a. Henfrey (*Numis. Crom.*, p. 185), notes this was sealed with Cromwell's private seal VII.

²¹³ Crawford, ii, 67; cp. Gardiner, *Comm. and Prot.*, iv, 108.

²¹⁴ Abbott, *Bibliog. of O. C.*, no. 764, q. v.

these objections, was the disinclination of the new settlers to disperse themselves through the country and put themselves at the mercy of the dispossessed Irish. All in all it was still a question whether the gain of eliminating the Irish Catholic element outweighed the loss of necessary workers and the enduring hatred which it brought with it.

That did not, for the moment, much trouble those in charge of the government in London. They were far more concerned with the signs of discontent at home and the informations which Thurloe's office was collecting in regard to the plot which those informations indicated was coming to a head. They were especially concerned with the attitude of London itself, where, however, they had concentrated enough troops to prevent any attempt at a rising. London, the Venetian envoy reported, "dissimulates and puts up with these burdens," of heavy policing and restrictions of its freedom, but "certainly will not neglect any favorable opportunity for recovering their former liberties and privileges."²¹⁵ From other quarters came like warnings. Though Durham was reported quiet and pleased at the reduction of taxes,²¹⁶ Cromwell's letters to Mackworth and Crowne and his despatch of troops to Shrewsbury indicated that the chief danger was anticipated in the west. The problem of Dover was met in part at least by ordering Captain Thomas Harrison of Upnor Castle to leave his post and join Lieutenant-Colonel Kelsey at Dover on a special mission probably connected with the entrance and exit of Royalists through that port.²¹⁷

The reports from government agents, officials and officers meanwhile poured in. Colonel Croke reported a trace of Sexby in Weymouth, but the soldiers lacked a warrant and Sexby was not seized.²¹⁸ General Harrison, however, in his prison at Portland Castle, believed Sexby a government agent or decoy because his associates had been taken but he had remained at liberty.²¹⁹ From Gloucester, Creed reported that, following the Protector's orders, he had gone there with two troops from Coventry, that he had taken several prisoners and confiscated some forty books and wanted orders to send his prisoners to Warwick Castle.²²⁰ Colonel Crowne reported the seizure of Sir Thomas Harris, Ralph Kynaston and others, with arms in their hands, in time to disrupt the plans for a rising in Shrewsbury on the night of the 8th of March.²²¹ Copleston reported that he had made arrests and was on guard in Devonshire to prevent Royalist risings or escapes.²²² From Chichester

²¹⁵ Paulucci to Sagredo, March 5/15, *Cal. S. P. Ven.* (1655-6), p. 32.

²¹⁶ *Perf. Diurn.*, March 13.

²¹⁷ *Cal. S. P. Dom.* (1655), p. 441.

²¹⁸ Thurloe, iii, 193-5.

²¹⁹ *Ibid.*

²²⁰ *Ibid.*, pp. 212-13.

²²¹ *Ibid.*, pp. 215-16.

²²² *Ibid.*, p. 219.

Henry Beale reported that in accordance with the Protector's orders he had seized Colonel John Morley and Sir John Egglesby and would search for those mentioned in a subsequent order.²²³ From Scotland Whalley and Monk enclosed letters which might further incriminate Overton, adding that the soldiers were beginning to grumble for want of pay and that free quarter might become a necessity.²²⁴

It is evident from all of this that the moment for the rising was at hand, if it had not already arrived, assuming, as the government did, that such a rising had been planned. In consequence, besides reinforcing the western garrisons and sending out more warnings, the Protector ordered Colonel Philip Jones of his Council to proceed to Shrewsbury with the following instructions:

To the Mayor and Aldermen of Newcastle upon Tyne

There were some secret plotts and Conspiracies generally carried on throughout the whole Nation, and that some perticuler mischeife was de-signed against this Towne, by some wicked & illaffected persons, whoe haue traterously Combyned together to disturb our present peace and to involue this Nation into blood againe; And therefore . . . for the better Securitie & safeguard of our Towne, [they are advised] to forme some Companies of our most trusty and best affected Townesmen for the preservacion of our selues from the invasion and attempts of our Enemies whoe intend our ruine and destruction: . . .

Mar. 10, 1654-5²²⁵

Instructions unto col. Philip Jones, one of our council, upon his repair unto Shrewsbury.

Whereas we have received several letters and advices this morning, that the cavalier party, who have long prepared for a general insurrection through England, were ready to put it in execution upon thursday night last, and some of them did in order thereunto meet together near Shrewsbury, for the surprizal of that garrison, and others of them in North Wales; you are forthwith to repair down to Shrewsbury, and there further inform yourself of the designs aforesaid, by speaking with the governor, and col. Crowne, and such others as you shall think fit; and to examine the persons, who have been apprehended upon this business, and all others you shall judge necessary for your better information of the premises. And you are hereby authorized and required to send for any persons whatsoever, which you shall think fit; and likewise to cause to be apprehended all such, as you shall find to have a hand in this design, or are otherwise to be suspected to be dangerous to the peace of the nation. And for that purpose to require the commanders and officers of any of the forces of horse and foot to observe your orders and directions therein. And

²²³ *Ibid.*, pp. 219-20.

²²⁴ *Ibid.*, pp. 205-6, 217-18.

²²⁵ Noted in Council minutes for April 6, 1655, in *Newcastle upon Tyne Council Minute Book, 1639-1656*, pp. 186-7. *Ibid.*, p. 202, says "flower Companies."

you have also power to give any orders to any of the forces in your way thither, as you shall find necessary for your own security. .

You shall, as you have opportunity, acquaint the gentlemen of the country with what information you shall gain, and the danger that the cavalier party would put the nation into; and to use your best endeavour to put the country in the best posture of safety you can; for which purpose some commissions are herewith delivered unto you for the raising of horse and foot, which you have power to deliver or not, as you shall find it for the good of the service.

You shall endeavour to correspond with col. Berry and col. Hacker concerning the insurrection intended, and in part executed in Nottinghamshire; giving them such knowledge of affairs with you, as you shall find they may be serviceable in; and we have required them to communicate the like to you; and you are also to hold correspondence with colonel Lilburne, and col. Bright high sheriff of Yorkshire. Given at Whitehall this 11th of March, 1654.²²⁶

All of this disjointed, often apparently insignificant and disconnected activity of the government was suddenly given point by a dramatic circumstance. Between two and four o'clock on the morning of Monday, March 12, 1655, there rode into the cathedral town of Salisbury in Wiltshire some two hundred men, some sixty of whom had gathered the day before in Clarendon Park about two miles out of Salisbury, where they had been joined by about forty men from that town under a Mr. Mompesson, and later, there or thereabouts, by some eighty men from Blandford and a few from elsewhere. They were under the lead of Sir Joseph Wagstaffe, who had recently come from the exiled Charles II; a Colonel John Penruddock of Compton Chamberlain, and a Mr. or Major Hugh Grove of Chisenbury, apparently associated in command, it would seem, as captains of troops. Riding into the market-place where they left a considerable number of their party, their first care was to set guards over the inns, secure the horses there, and seize the persons of the judges, Chief Justice Rolle and Baron Nicholas, who had come down for the assizes, and of Colonel John Dove, the high sheriff of the county. The judges were compelled to hand over their commissions and Wagstaffe was persuaded with difficulty by Penruddock and some of his followers not to hang them. Dove, refusing to proclaim Charles II, was ill-treated; and the town-crier being equally recalcitrant, it appears that Wagstaffe or some one under his command was compelled to proclaim the King. The gaol was broken open and the prisoners, some of whom joined the insurgents, were released. An effort was made to plunder the house of Dove who had made himself obnoxious as one of the judges of Charles I and as a large holder of forfeited Royalist estates, but it was successfully defended by a Major Wansey and some thirty men he had somehow managed to get together in the confusion.²²⁷ By about eight

²²⁶ Thurloe, iii, 220. Quoted in part in Lomas-Carlyle, Suppl. 100(3).

²²⁷ The following account of the Penruddock rising is based in the main on "Oliver Cromwell: His Character and Career illustrated by Himself" by R. F. D.

o'clock, their numbers having been increased to some four hundred men, they marched away in the direction of Dorsetshire, having burned the judges' commissions and left Rolle and Nicholas prisoners on parole.

The purpose of the insurgents was obviously to raise an insurrection in the western counties as they rode through them, but it was evident almost from the first that they were doomed to fail. At Blandford, Penruddock proclaimed Charles II, declaring for the true Protestant religion, the privileges of Parliament and the liberty of the subject. As they approached Dorset, which seems to have been the principal seat of the conspiracy and where they hoped to enlist three or four thousand men, the party seems to have divided. Some were in Shaftesbury and Sherborne on Monday night and some in Yeovil — where they released Dove on parole — on Tuesday. At Dorchester they broke open the gaol and freed the prisoners; but nowhere did they gain many recruits and none of any importance. Meanwhile the government forces rallied against them. News was sent in every direction, to Bristol, Marlborough, Gloucester and Exeter, where were stationed troops which began to move at once, and from London the Protector hastened to send out orders to put down the rising. By the time the insurgents reached Devonshire it was apparent that their case was desperate. Neither their numbers nor their leadership inspired confidence, and not only did they gain few or no recruits but many of the original body began to desert. Thus they hurried by way of Collumpton and Tiverton pursued by the Protectoral forces, losing at least a hundred men between Yeovil and South Molton. Their only hope seemed to be to reach Cornwall and hold out there as best they could.

The news of the rising apparently reached the Protector on the evening of the day of the attack on Salisbury and he lost no time in commissioning his brother-in-law, General Desborough, as Major-General of the West, ordering him to gather up the troops of Colonel Berry, Twisleton's two troops from Chichester and Boteler's command in Bristol, with which he hoped to crush the insurgents before they could establish themselves or gain strength:

Palgrave in *Quarterly Review* (1886), pp. 414 ff., and articles by the same author reprinted from the *Athenaeum* as *Oliver Cromwell and the . . . Insurrection . . . of March 1655*; reply by C. H. Firth, "Cromwell and the Insurrection of 1655," in *Eng. Hist. Rev.*, iii, 323 ff.; rebuttal by Palgrave, *ibid.*, pp. 521 ff., 722 ff.; reply by Firth, *ibid.*, iv, 313 ff., 525 ff. These articles with their footnotes and those by W. W. Ravenhill in *Wilts. Arch. Mag.*, vols. xiii and xiv, and Gardiner, *Comm. and Prot.*, iii, 286 ff., contain all or nearly all the relevant facts of the conspiracy and insurrection. As no single episode of the Cromwellian period has been so exhaustively treated, apart from rearranging and comparing the facts there adduced, checking the references there given, and adding some details, it has seemed unnecessary to repeat here all those references at needless length and reiteration.

*To our right trusty and right well beloved counsellor, general
Desbrowe, major general of the west*

Whereas there is an insurrection in the west by the cavaliers, who have armed themselves, and seized upon the judges of assize at Salisbury, and proceed on to commit other violences and outrages upon the people; you are therefore to repair with your regiment into the west, and to take into your charge and conduct the troops of col. Berry, now in the west, the two troops of col. Twisleton's, whom we have ordered from Chichester to join with you, and also all other forces both horse and foot in the western countries. And you shall use your best endeavours to prosecute the said cavaliers in whatever parts of the nation they shall go; and to suppress them; and also to put the said counties into the best posture of defence you can: for which purpose commissions are herewith delivered unto you; and all commanders and officers of the said forces are hereby required to observe such orders, as you shall give them, and to obey your commands according to the discipline of war. And all justices of the peace, mayors, bailiffs, and all other officers and ministers, are required to be aiding and assisting to you; and are hereby required to fill up every troop in your regiment to a hundred in each troop; and you shall give the same orders to all other the troops aforesaid; and you are also to seize and secure all persons, which you shall judge dangerous to the peace of the nation, and to search their houses for arms, and to seize their horses for the use of the state. Given at Whitehall the 12th of March, 1654.²²⁸

At the same time he wrote to Colonel Berry who was then with his troops in Nottinghamshire, though parts of his regiment were in the west, and in fact took the greater share in suppression of the insurrection:

[*To Col. Berry?*]

SIR,

I writ unto you the last night by an express, and enclosed in my letter an information received of a rendezvous which the Cavaliers had at Rugford²²⁹ in Nottinghamshire upon Thursday night last. We have since heard that there were endeavours of rising in other places at the same time, as you will see by the enclosed. We do not doubt but you have prosecuted with effect the directions you have already received: however we have thought it necessary to send the party himself who gave the information, and was amongst them at Rugford, who knows the parties mentioned in the information, and likewise their dwellings. It will be of great use unto us that this business be followed home, and examined to the bottom; for which purpose I desire you²³⁰ to go upon

²²⁸ In the handwriting of Thurloe. Thurloe, iii, 221-2. Abstract in Lomas-Carlyle, Suppl. 100 (2). Mrs. Lomas dates this letter March 11, but since she took her abstract from Thurloe and gives no reason for changing the date, it must be assumed that it is a typographical error. A letter from Desborough to Cromwell, from Newbury, March 15, in Thurloe, iii, 247, mentions in a postscript having received that night two letters from Cromwell, neither of which could have been the letter quoted above.

²²⁹ Rufford Abbey.

²³⁰ "with Colonel Hacker" erased.

the place and examine the people of the Inn and other persons, who may probably give you information therein; and as you find or suspect any to be of their party, forthwith to seize them, their arms and horses. There is no question to be made but Sir Roger Cowper is in it, and so [is] Sir George Saville. I hope you have secured their persons and horses. If you shall understand that any of these people are gone into other countries, give notice thereof to the forces who are next unto them; and I would have you correspond with Col. Jones, whom I have sent to Shrewsbury to examine things there, and also with Col. Lilburne and the High Sheriff of Yorkshire; and let them know how you find things. I desire you to use all diligence and care in the prosecution of these things. It will not be difficult to find out most of the persons who were at the aforesaid rendezvous. I rest

Whitehall
March 12, 1654 [-5]

Your loving friend,
[OLIVER P.]²³¹

To this the Protector added other like warnings on that busy evening of March 12, among which these have survived:

[*To the Justices of the Peace of Oxford*]

Gentlemen,

Hearing that the Cavaliers are busy and have gathered themselves into some bodyes, and having occasion to send the troope from you which lay with you, I doe desire you to improve your best diligence for the raying of a troope of voluntier horse for the use of your towne and as many foote as you can well for the security of that place; to which purpose I have sent you blanck comissions, desiring you to put them into the hands of such as you can bee confident of and will be freinds to the peace of the nation. What you doe herein would bee done as speedily as you can. I have no more at present but rest, your loving freind, Oliver P.

Whitehall, 12 Mar. 1654.²³²

To Capt. John Nicholas, Governor of Chepstow Castle
[Substance only]

Informing him of the insurrection and ordering him to raise forces as speedily as possible and apprehend plotters.²³³

²³¹ Lomas-Carlyle Suppl. 100 (4), from Thurloe, iii, 222, draft in Thurloe's writing. Mrs. Lomas notes that Waylen apparently thought this was addressed to Whalley, but gives reasons why she thinks it addressed to Berry, especially a letter from Berry to Cromwell (*ibid.*, iv, 598) and see below. Cowper was arrested but Savile was away from home and was cleared later of any overt share in the design (*ibid.*, iii, 229 and iv, 598).

²³² Pr. in Hobson and Salter, *Oxford Council Acts, 1626-65* (Oxford, 1933), p. 461, from Oxford City Archives, E. 4. 5, Town Clerk's notebook, fol. 15. The letter was read March 22 and a company raised with Mr. Richard Phillips as Captain (Hobson & Salter, p. 208).

²³³ Reply to Thurloe, iii, 242-3. Heard of no insurrection until late at night on March 13. Hopes to have 500 men together by night. Lack of money is a hindrance, but 1,000 men could be raised, by Major Wade, if Cromwell ordered.

Confronted with an emergency and the kind of action with which they were familiar, his followers hastened to obey. Desborough made such speed that he was in Newbury on the 14th, by which time Boteler, leaving Bristol on the 12th with two troops of his regiment and picking up two more in Bath, had reached Salisbury, whence he marched to Shaftesbury and soon joined Desborough. But they were not destined to suppress the insurrection, for meanwhile Captain Unton Croke of Berry's regiment, stationed at Exeter, had led out his troops, come on the insurgents at South Molton on the evening of the 14th, crushed them, and taken most of their horses and about fifty prisoners including the troop commanders, Penruddock, Grove, Mompesson and Jones, though Wagstaffe himself escaped. The rest was mere routine. In due course the prisoners were tried, Penruddock, Grove and some others condemned and executed, and the rising was over.²³⁴

It was no isolated phenomenon. Three days before the insurgents had ridden into Salisbury, on March 8, there had occurred sporadic and abortive efforts of like sort elsewhere. At Marston Moor a few men had assembled with the purpose of surprising York in conjunction with another force from the west, but were frightened by the weakness of their numbers and hastened to disband. At Rufford in Nottinghamshire there was a like assembly and a like failure. There was a meeting at Morpeth intended to seize Newcastle and Tynemouth; a threat to Shrewsbury, and a still more futile movement at Chester whose members were frightened off by the walk and sneeze of a sentinel. From Shrewsbury, Colonel Mackworth, who had been warned of an attempt on that place, wrote that in the absence of reinforcements promised him he had mounted and armed some soldiers and friends, and acting under Cromwell's orders had secured the town and seized Sir Thomas Harris and a Ralph Kynaston with some twenty horses, arms and ammunition at Harris' country-seat, before he was relieved by a troop from Hereford. By the end of the week, therefore, every vestige of armed resistance had been stamped out, its authors were in custody, and the examinations of the prisoners were under way in preparation for the trials of the conspirators.

Such was the brief and inglorious history of the "Insurrection of 1655." In and of itself that rising was of little consequence. It was not actively embraced by any considerable number of Royalists and by none

Will endeavor to secure suspects, Trevor, Williams and Morgan, immediately. Apparently on Mar. 13 he also issued a commission for Sir Edward Rodes of Great Haughton to be a colonel of horse (*Virginia Mag.*, vi (1898-9), 418).

²³⁴ For the details of the rising see Gardiner, *Comm. and Prot.*, iii, 286 ff. and references to Palgrave and Firth controversy, Thurloe, iii, 205 ff. *passim*, and Ravenhill articles as above.

of any consequence. It had no support from Anabaptists, Levellers or Republicans, in or out of the army, and so far as could be proved no men of any importance in any party had any share in it. It was too insignificant to threaten the government of the Protector for an instant. But there are various circumstances which have given it a place in history far beyond its deserts. The first is the emphasis laid upon it by the Protector himself in his public utterances which described it in terms so exaggerated that they can be explained only on the assumption either that he was thoroughly frightened or that he deliberately exaggerated the facts to influence public opinion. The second reason is that it became the subject of one of the most active controversies in regard to Cromwell's conduct and character. The third is that, despite its futility, it was the most important challenge to his authority which England saw during the Protectorate.

In Cromwell's declarations of January and October, 1655, he described in minute detail and with what seems at this distance gross exaggeration the efforts of the Royalists to plunge the nation into civil war and overthrow the Protectorate. That was no doubt natural. In every political struggle it is to be expected that each side will use every effort to discredit its opponents and to this the Protector and his followers were no exception. But it remains to be seen in how far the Salisbury rising was a real threat to his ascendancy, in how far its failure was due to the precautions taken by his administration against such a conspiracy, what the plans of his opponents were, in how far he was cognizant of them, and whether, as has been charged, the plot was not furthered, if not actually planned, by him and his agents.

Part of the charge against him may be admitted at once and the main facts are not questioned. The account of the activities of the government between the dissolution of Parliament and the outbreak of the insurrection, as here set down, proves conclusively that, whatever the Protector knew of the plans of the plotters, he knew enough to take sufficient precautions against them. He knew that there was serious dissatisfaction among the Anabaptists, Fifth Monarchists, Levellers, Republicans and Quakers in and out of the army. He knew that a Royalist plot had long been brewing; that its agents had been active in England and messengers had been going back and forth between England and the Continent. He probably knew that Charles II was aware of all this, and possibly that the King's trusted advisers, the so-called "Sealed Knot" which had been formed not long since, were opposed to any such rash rising as this. All this and more he knew, for most of it was in Thurloe's files, supplied by his agents and spies, some amateur, some professional, some prisoners, some correspondents on the Continent, some actually treacherous Royalists in the court of Charles II and in the pay of the Protector.

Not only was all this known to the Protectoral government and steps taken to prevent any serious threat to its ascendancy, but no one can read the correspondence of the Royalists without realizing that, whether the design actually undertaken was what they desired, there was a plan for a rising which had been on foot at least since the middle of 1654, and which, postponed from time to time, finally came to a head in March, 1655.²³⁵ No one can read the long, dull lists of orders, commissions, instructions and declarations of the months preceding the rising without realizing that the Protector was taking precautions against just such a contingency as this. Overton and his associates had been seized; Harrison, Wildman and a long list of officers had been arrested or dismissed from the service; many had been imprisoned. Troops had been moved from Ireland and Scotland to England, and on the Royalists' own confessions this had helped to block their plans. The authorities of the ports had been warned to be on their guard against Royalist emissaries. Commanders of various posts had been advised of the danger of an attempt to seize the strongholds; troops had been moved hither and thither in England itself; and London in particular had been heavily garrisoned.

All this serves to explain, if not to justify, the enumeration of a great number of details of administration which taken by themselves often seem as unimportant as they are unrelated and insignificant. Yet taken in connection with each other and with the Penruddock rising they demonstrate three things. The first is that every step the Protector had taken in the months preceding that desperate adventure leads to the conviction that he did what any shrewd, well-informed and far-sighted ruler in his place would have done in the face of such a threat. The second is that he knew in a general way, if not in detail, the plans of his opponents. The third is that no such design had any chance of success in the face of such a force and such preparations to meet it. There may be — there was then and thereafter — a suspicion that he had played the part of an unscrupulous and treacherous promoter of a plot whose failure would strengthen his power. There are certain pieces of evidence which, if taken by themselves and more or less out of their context, seem to lend themselves to such an interpretation. There seems little question that he had the ability and even the will to deceive his enemies — or at least to let them deceive themselves — on this as on other occasions. But given his knowledge of the plot and of the preparations taken to meet it, there seems no reason to evolve a more complicated theory to explain it and its failure. There has been produced no conclusive evidence that his government acted in collusion with the plotters, nor, under the circumstances, was there any reason why it should. He did not, indeed, arrest all the messengers and all the plotters; he could not well arrest them all, in any event; he arrested enough. His government seized

²³⁵ Cp. *Clar. MSS.*, 1655, *passim*.

those who, for one reason or another, seemed to be dangerous to its safety at any given moment; it evidently terrified the rest. It was more or less bound by the necessity of conforming to the laws of the land in so far as possible; and it is among the more notable circumstances of this rising that it was argued, and not without effect in some cases, that the Ordinance of Treason was not constitutional; that one of the chief charges against the government was that Overton was not arrested and tried under due process of law; and that several of the Salisbury insurgents were tried not for insurrection but for horse-stealing. So long as his leading opponents were put in a position where they could do him no harm; so long as the Royalists were not supported by any considerable body of the other discontented elements; so long as the Protector could keep his followers in line, there was no hope of the success of a rising in favor of Charles II, and none knew it better than Charles' ablest advisers. It was not even a united Royalist party with which Cromwell had to do, and it hardly seems necessary to accuse him of double-dealing in this matter. He was not above using the subtlety of the serpent in dealing with his enemies and he and his followers may have done so in some instances. But despite the fears of his followers — and perhaps his own — without some miracle there was no question but that he could meet such a threat with every hope of success. That does not mean that he and his party were not disquieted. They were, as they knew, a minority ruling a nation which disliked them. They knew that only the fact of their being in possession of the machinery and authority of the state, civil and military, stood between them and destruction, and with extraordinary skill, industry, and even ruthlessness, they were prepared to suppress all opposition within and without their ranks, in the best manner of dictatorship at all times and under all circumstances. This is enough to explain the failure of the Penruddock rising; for the rest it is perhaps enough to say that Cromwell's complicity is at least not proven. And were this not enough, one may be permitted to accept in part at least Thurloe's explanation to the effect that, as between the established order and the fear of what another civil war might bring, men in general were disposed to support Cromwell rather than risk an attempt of Charles to regain the throne. Or, as he puts it:

Thus you have the true state of this business, with this further, that all the counties of England would, instead of rising for them, have risen against them; and the Protector could, if there had been need, have drawn into the field, within fourteen days, twenty thousand men, besides the standing army. So far are they mistaken who dream that the affections of this people are towards the House of Stuart. Whether there will be any endeavours by that party to reinforce themselves we cannot tell. The government here are doing all they can to prevent it, and are putting the nation into a posture of defence, placing the arms in the hands of such as they can perfectly confide in.

Three advantages the Protector has got by this business: First, he has gained belief among all men that he made not a noise about plots and designs to get money out of the people's purses, but that the danger he had so often spoken of to the nation was real. Secondly, the army and the honest people of the nation are hereby become united. Thirdly, our neighbours abroad, whom the king solicits for aid, do see that that family have no interest in this commonwealth, but that the body of the honest and substantial people are against him. And I may add a fourth: that the people will now the more willingly pay their taxes, in respect they see how unsuccessful the royal party are in their designs. . . . Very many of the persons who have engaged in this business, both in the north and elsewhere, are apprehended; and some of them have considerable estates, which I might have added a fifth advantage to the Protector, viz. the benefit of confiscations which will be through this business, in case it shall please God to give the like success to the Protector as he hitherto hath done.²⁸⁶

In one respect, perhaps, Thurloe made a mistake natural to one in his position. It was that the people of England would rather have risen in opposition to the house of Stuart than in its favor. It was neither love of the Cromwellian Protectorate nor hatred of the Stuart monarchy, but fear of the consequences of what seemed certain failure, which kept the country quiet. It may well be that the army and the "honest" party were united, but together they formed only a relatively small minority of the people as a whole, however impotent the generality of the nation was in the face of that armed and organized minority. And in one other respect he was in error. Neither then nor thereafter were men willing to meet the oppressive taxes levied on them by the government, which they would not and could not pay, and which became finally the chief weakness of the revolutionary movement.

²⁸⁶ Thurloe to Pell, March 16, 1654[-5], Vaughan, *Cromwell*, i, 151-2.

CHAPTER XIV

THE AFTERMATH OF THE INSURRECTION

MARCH-MAY, 1655

Whatever the causes of the reform movement which turned into revolution in the reign of Charles I, the results of that great upheaval inevitably left the greater part of the people of the British Isles discontented with the system which had replaced that of the Stuarts. On the one hand the leading men of the old order, whether in exile or under surveillance, together with a multitude of lesser men, irritated not only by the overthrow of the monarchy to which they were attached but by the exactions levied on them, naturally dreamed of the restoration of that monarchy. On the other hand, those in power, despite their armed forces, felt themselves in a difficult position which might at any moment become dangerous or fatal to their ascendancy. In consequence they maintained their army in garrisons throughout the country; they established a spy system; they administered the government as best they could; and they endeavored to build up their position abroad. But especially after the establishment of the Protectorate, they were divided against themselves even while they presented a more or less united front to their opponents. Some supported Cromwell wholeheartedly; some endured him as the lesser of two evils; some conspired against him. More optimistic Royalists and anti-Cromwellians saw in the combination of those parties a force which might destroy the "usurper," but more moderate men of all parties felt that it was better to endure the evils that they knew than to fly to those they knew not of.

In such a situation the part of the Protector was fairly clear. It was to keep his party and especially his army as loyal as might be; to prevent his opponents in and out of those ranks from forming a combination which might threaten his own ascendancy; and to reconcile the people to his rule in so far as possible by capable administration at home and a successful foreign policy.

By such means he may have hoped to wean the English people away from the cause of monarchy and episcopacy and set up a new system in church and state. In this he was aided by various circumstances. Unlike many revolutionary leaders he was an accomplished administrator as well as a politician. He was aided by able and experienced advisers, both civil and military. He had at his command not only an army but a considerable body of civil servants, and in every quarter of England followers

prepared to supply him not only with information but if necessary with armed assistance. He had disarmed his enemies; and he had on his side the natural inertia of a nation which, as usual, was inclined to submit to constituted authority, whatever its source or title, rather than to enter into new civil conflict.

Of all this the Penruddock rising and its consequences were an admirable example. As the wiser Royalists perceived, the success of such an undertaking under such circumstances was wholly impossible, and the vigor and success of the Cromwellians in meeting and suppressing it were not more notable than the evidence they gave of the machinery they had set up to keep the country under their domination. Not merely had troops converged from every side upon the ill-fated insurrectionists, but from all parts of the country Cromwellian officers and officials hastened to notify the government of their efforts to prevent assistance from reaching the rebellious Royalists. The days succeeding the rising were filled with the reports of officers, officials and agents of the far-flung network of military and civil authorities by which England was held down. In a sense, the aftermath of the Penruddock rising was in the nature of an anti-climax, full of an infinity of administrative detail, important only as revealing the strength and activity of the revolutionary authorities who concerned themselves with every kind of public business, great and small, evidencing a complete command of the situation and a comprehensive knowledge of even the most insignificant matters of national and even local concern. Except for the trials and such diplomatic questions as arose, the next two months, therefore, form a peculiarly uninteresting period in the history of the Protectorate.

While reports poured in from every direction the Protector found time to sign a letter drawn up for him, no doubt earlier, in relation to his foreign negotiations:

Oliver, Protector of the Commonwealth of England, Scotland and Ireland, etc.: to the most serene and potent Prince and Lord, Frederick III, by the grace of God, King of Denmark, Norway, the Vandals, and Goths, Duke of Schleswig-Holstein, Stormarn, and Dithmarschen, Count in Oldenburg and Delmenhorst, his friend and esteemed ally, Greeting.

Most Serene and Potent Prince, Friend and Esteemed Ally:

Whereas a treaty of friendship and alliance between this Commonwealth and the Kingdom of Denmark has recently been successfully executed and established by the sagacious service and ministry of the most noble Lord Henry Willemsen Rosenving, Prefect of the monastery of Draxmarchiensis, and envoy extraordinary from your Majesty to us for this end, whose zeal and offices have been most acceptable to us; and since the said Lord Deputy upon the completion of the public mission which he has worthily discharged among us has begged leave to return; him therefore who was not only approved by your Majesty's judgment but was also found most faithful in the wise execution of

the matters committed to him, we discharge with well-merited praise. And we most earnestly commend him to your favor as one worthy of reward by virtue of his singular skill, devotion, and prudence in negotiation. Furthermore, one Simon de Petkumb whom we are informed by letter to the effect it has pleased your Majesty to substitute as minister of your affairs with us, him we shall be pleased to admit as often as he shall desire audience and the nature of his business shall require; and we shall leave nothing undone which might demonstrate our earnest desire for the constant pursuit of friendship. Further matters we leave to the said Lord Rosenving to make known at length. Meanwhile we heartily commend your Majesty to the care of divine mercy. Given from our court at Westminster the 13th of March, in the year 1654[-5.]

Your Majesty's good friend,
OLIVER P.¹

Even while Protector and Council were still sending out orders, the replies of the Cromwellian commanders poured in to reveal the extent and activity of their organization. Apparently in answer to the Protector's letter of March 12, Berry wrote from Nottinghamshire that he was moving back and forth between Newark and Mansfield, that he had made several arrests and could make more if necessary.² Hereford and Monmouth reported all was quiet and that the commander, Colonel Wroth Rogers, had raised troops according to his orders, suggesting that some of them be sent to Worcester for the great horse-fair there.³ From Shropshire Crowne wrote that each day brought new discoveries of Royalist designs.⁴ At Rochester, Captain Harrison, who had accompanied Colonel Kelsey's command thither, had six men in custody;⁵ and it was reported from Colchester that prisoners had been taken and were being kept in the inns, while the troops that had been collected were being dismissed for the time being but instructed to be on call at an hour's notice.⁶ In London the militia commissioners came to the Protector to give an account of the forces raised there,⁷ and seven members of the Council met with him to concert means to suppress the insurrection.⁸ On Tuesday the 13th, the London authorities, including the Mayor, the Aldermen and the City Council, took an engagement to oppose the enemies of the Protector,⁹ who meanwhile sat with his Council until midnight discussing measures to restore peace,¹⁰ sending direc-

¹ Latin original in the Rigsarkivet in Copenhagen. Countersigned by Thurloe. Copy in *Rawl. MSS.*, A261, f. 38-38v, pr. in App. II (32).

² March 14, 17, Thurloe, iii, 240-41, 263-64.

³ March 14, 17, *ibid.*, pp. 237, 261-62. Council's reply, March 22, *Cal. S. P. Dom.* (1655), p. 90.

⁴ Thurloe, iii, 238.

⁵ Harrison to Cromwell, March 16, *ibid.*, pp. 252-53.

⁶ Col. H. Haynes to Cromwell, March 16, *ibid.*, p. 253.

⁷ *Perf. Diurn.*, March 12.

⁸ Thurloe, iii, 221.

⁹ *Ibid.*, p. 231.

¹⁰ *Perf. Diurn.*, March 13.

tions for supplying the necessary reinforcements for the Isle of Jersey; appointing commissioners in twenty counties and the Isle of Ely:

Order of the Protector to the governor of Jersey.

Whereas col. Robert Gibbon, governor of our island of Jersey, hath represented unto us, that for the better safeguard of the said island and accommodation of the soldiers now in garrison there, that the castles and forts standing thereon be not only repaired, but that some addition of building be made thereto, and that beds and coverlids be provided for the use of the said soldiers, as also carriages and other materials for the great guns there; and a considerable store of provisions, as well of war as victuals and other necessaries, be laid in the said castle; least any attempts be made upon the same by any our enemies whatsoever; we have taken the same into our consideration, and being willing, that what is necessary and convenient should be done therein, do therefore refer the same to the care and prudence of the commissioners appointed for making compositions with the islanders, or any two or more of them, who are hereby authorized and enabled to do therein, what shall seem to them to be needfull and requisite for the ends aforesaid; and who are also empowered to issue orders from time to time under the hands of them, or any two or more of them, for the payment of such monies, as they shall judge necessary to be expended about the same, out of the monies arising upon compositions with the islanders, and such money as our receiver general of the said compositions shall issue forth upon the orders given as aforesaid. The respective officers of our exchequer are hereby required and authorized to allow the same upon his account accordingly. And we will, that the said commissioners for compounding, or any two of them, do immediately repair to our said castles and forts, and inform themselves by the best way and means they can, as well what arms, ammunition, and other provisions and utensils of war, as also what household stuff, furniture, goods and other necessaries were left in the said castles and forts, by col. James Heane, late governor there, and they take care, that the same be inventoried and delivered over to the present governor, to be by him employ'd and kept for our use and service. Given at Whitehall the 13th day of March 1654-5.¹¹

¹¹ Thurloe, iii, 231. Cal. in Waylen, *House of Cromwell*, p. 279. On March 14 there was issued a patent appointing Col. Robt. Gibbon, Mich. Lemprière, Edward Horsman, John Brun, and Guilleaume Harding commissioners for compounding with delinquents in Jersey; "but it was expressly ordered that all persons whose annual income derived from land did not exceed 7*l.* sterling, or whose personal property was under 100*l.*, should not be liable to any fine or compensation; but should be allowed to enjoy their property in peace, with the assurance of pardon for their revolt, and of an oblivion of the past. The composition for other persons was not to exceed the income of two years of their real property, or one tenth of their personal property. This fine was to be paid within six months [Sept. 29]; and in default of payment the commissioners were authorised to take possession of the property for the term of seven years." (LeQuesne, *Const. Hist. of Jersey*, p. 343; *Cal. S. P. Dom.*, 1655, pp. 305-6.) Patent pub. July 9, 1655. Petition for suspension of patent Aug. 30, 1655.

Commission

Commission by the Protector to John Browne, sen. and jun., Col. John Bingham, Rob. Coker, and 14 others, to be Militia Commissioners for co. Dorset, as the enemies are raising new troubles, and now robbing and plundering the people.¹²

Whitehall March 14, 1654-5

Appointment of Commissioners for the Isle of Ely

OLIVER P.

Oliver lord protector of the commonwealth of England, Scotland, and Ireland, and the dominions thereunto belonging, to Sir Francis Russel, bart. major general John Disbrowe, John Thurloe, esq; George Glapthorne, Tristram Diamond, Francis Underwood, esqrs. doctor Richard Staine, captain — Moses, and Henry Farrar, esqrs. greeting.

Whereas the enemies of the peace of this commonwealth are still restless in their designs of raising new troubles in our own bowels, and have at this time raised forces, and are now in actual rebellion in several parts of this nation, robbing, plundering, and spoiling the good people thereof; and we holding ourself obliged by our trust to take care of the peace of this commonwealth, and of every part thereof, we have therefore, by advice of our council, constituted and appointed, and by these presents do constitute and appoint you the said sir Francis Russel, John Disbrowe, John Thurloe, George Glapthorne, Tristram Diamond, Francis Underwood, Richard Staine, captain Moses, and Henry Farrar, or any three or more of you, to be commissioners for the militia of the isle of Ely; and [you] shall have power, and are hereby authorized, to raise, traine, exercise, and put in readiness, all such persons, to serve as well on horseback as on foot, as you, or any three or more of you, shall think fit, in the said isle of Ely, and as are meet to bear arms as aforesaid, under such colonels, commanders, and field officers, as we shall appoint and commissionate for that purpose; who shall have power to lead, muster, conduct, and employ the persons aforesaid, armed, and weaponed, for the suppression of the said rebels, and of all rebellions, insurrections, invasions, tumults, and other unlawful assemblies whatsoever, that may happen in the said isle of Ely. And farther we do authorize you, or any three or more of you, with the said forces of horse and foot, or otherwise, to oppose, seize, secure, and disarm, or, in case of resistance, to kill and slay the said rebels, and all other persons, who have or shall cause or make any such tumults, insurrections, or invasions, or levy any force against us, this government, or commonwealth; and shall have farther power and authority to disarm all known papists, and dangerous and seditious persons, and all such as shall raise, or endeavour to raise, any tumults or insurrections, and to put the arms of all such persons into the hands of such well affected persons as you, or

¹² In *Council Order Book*, I, 76a, pp. 26-7; cal. in *Cal. S. P. Dom.* (1655), p. 77. "To the same effect as that to the Commissioners for London, of 15 Feb." The draft of the Commission to be issued by Cromwell to the several Militias was read, and the form of the Commissions approved by the Council of State, Mar. 12. *Ibid.* p. 74. Twenty commissions similar to this were sent. *Ibid.* pp. 78-9.

any three or more of you, shall think fit, to serve as aforesaid with their said arms, under such officers as aforesaid; and you, or any three or more of you, shall observe these instructions, and such other instructions and directions as you shall receive from us, with advice of our council. Given at Whitehall, this 14th day of March, 1654.¹³

Instructions for the Commissioners for the Isle of Ely

OLIVER P.

Instructions unto sir Francis Russel, Bart. major general John Disbrowe, John Thurloe, esq; George Glapthorne, Tristram Diamond, Francis Underwood, esqrs. doctor Richard Staine, captain ***** Moses, and Henry Farrar, esqrs. appointed by commission from his highness the lord protector of the commonwealth of England, Scotland, and Ireland, by and with the advice of his council, to be commissioners for ordering and managing the militia of the isle of Ely.

1. You, or any three of you, shall immediately, upon receiving of the said commission and these instructions, meet in some convenient place in your island, and so from time to time, as oft as the service shall require it, for putting in execution these instructions with effect.

2. You, or any three of you, are to inform yourselves of all conspiracies, practices, and secret meetings of papists or disaffected persons; and from time to time any of you that are in the commission of the peace, are to take informations and examinations upon oath in writing, as you shall see cause, concerning the matters aforesaid, whether expressed by word or action, spoken, printed, written, published, or done wheresoever, against the peace and welfare of the commonwealth.

3. You, or any three of you, are authorised and required to disarm, secure, or commit all papists, or other ill affected persons, that have of late appeared, or shall declare themselves in their words or actions against the present government, or shall hold correspondence with Charles Stuart, son of the late king, or with any other person or nation, tending to the disturbance of the public peace, or have or shall minister any supplies to the said Charles Stuart, or any adhering to him, or any other the enemies or rebels of this commonwealth, or who have or shall raise, or endeavour to raise, any tumults or insurrections within the same, or be justly suspected to do the same, and also to seize the horses of all such persons for the use of the commonwealth.

4. You are likewise from time to time to observe, what strangers, or other persons, from other places resort to your island, and to what persons they apply themselves. And you are to inform yourselves, as near as you can, of their business and occasions in those parts; and, in case you are not well satisfied with their reasons and accounts given you, you are then to acquaint us or our council with the names of such persons, and to endeavour to secure them in the mean time, and till farther order.

5. Whereas many arms were raised and provided by the authority of the late militia and other occasions, which remain dispersed into several places, whereof there may be a dangerous use made, to the disturbance of the peace of this commonwealth, for prevention whereof you are to take special care, that all the arms, so as aforesaid raised, and all other arms in your island, as well

¹³ Thurloe, iii, 233.

horse as foot, whether defensive or offensive, and also all ammunition, provisions of war, and trophies be secured, by putting them into safe places, or leaving them in safe hands, in such a way, as you upon the place shall judge to be most for the peace and safety of the commonwealth; and that inventories be taken and kept of all the arms, and other things, so taken and secured, or left in the owners hands, to prevent imbezzelments and misconversion of the same; and to the end there may be assurance of having them in readiness for the publick use on all needful occasions.

6. Whereas by our commission you are impowered to raise such horse and foot, as shall be necessary for the peace of your island, under such field-officers or commanders, as we shall appoint; we have herewith sent to you commissions for field-officers, which you shall cause to be delivered to the several persons therein named respectively; and you, or any three of you, are hereby impowered and authorised to grant commissions to such inferior officers, as shall be recommended to you in that behalf by the said field-officer or officers, upon your approbation of them respectively.

7. Whereas there is a necessity of suppressing the present insurrection and rebellion, wherein no delay can be admitted, without apparent hazard to the three nations; you, or any three of you, in this exigency, are hereby authorised to charge any person or persons with horse and arms within your county, riding, liberty, or precinct, with respect had unto the quantity of his or their estates, and with respect also to the ease of the peaceable and well affected people of this nation; that the charge and burthen of these forces may be laid upon the malignant and disaffected party, who have been the cause of this insurrection.

8. You, or any three of you, are to take care that such horse and arms as shall be charged to be provided as aforesaid, and all such other horse and arms as you shall find fit to make use of for the present service, during the time of any insurrection, rebellion, or invasion, be put into the hands of such well affected persons, and fit for war, as any three or more of them shall approve, which person and persons are hereby required to serve in arms, horse or footmen accordingly; and that such persons be listed, trained, and mustered in several troops and companies, and formed into regiments, as you shall see cause; and you, or any three of you, are hereby authorised and required to cause the said forces to be drawn out and employed for suppressing and resisting the present rebellion, and all other invasions, insurrections, and rebellions, in your said county, riding, or precinct; and to bring the authors and abettors thereof to condign punishment. And you are to act and proceed farther, as you shall receive orders from time to time from us or our council.

9. You, or any three of you, may imprison any mutineers, disordered persons, or such as shall not do their duty, according to such commands and directions, as they shall receive from you, in pursuance of these instructions.

10. You, or any three or more of you, shall hereby have power to fine such persons for not sending in, or appearing with their horses and arms, upon any rebellion, invasion, or insurrection, the same not exceeding twenty pounds for each default; the said fines respectively to be employed for the service aforesaid: and likewise to levy, or cause to be levied the same on the lands and goods of the parties so offending.

11. For the better enabling you to put these instructions in execution, you are to require the sheriff of your county, and all other officers and ministers, to be assistant unto you, and to keep correspondence with the commanders of the forces in pay of this commonwealth, who are hereby required, if there be cause, and as you shall make your application, to give you assistance for the execution hereof.

March 14, 1654-5¹⁴

Colonel Jones at Shrewsbury, who apparently had command of the forces of South Wales, had already been warned before the Salisbury rising, and Captain Nicholas was now advised to secure the dangerous men in Chepstow and Gloucester:

*To Capt. John Nicholas, Governor of Chepstow Castle
[Substance only]*

Draw into Monmouth 400 or more horse and foot and send some horse and dragoons to Gloucester. Secure the chief insurrectionists in Chepstow Castle, and capture all the horses and arms possible.¹⁵

March 14, 1654-5

The next day attention was paid to the ports, and the order to Sandwich may serve to illustrate the means taken to guard against the escape of rebels:

*To the Chief Magistrate of Sandwich and the Officers of
that Port, Sandwich*

OLIVER P.

Trusty and well beloved, We greet you well. We doubt not but you have heard of the late Insurrection and Rebellions which have been raised in several parts of the Nation by some vile and lewd persons of the old Cavalier party, who through the goodness and blessing of God are in a great measure dispersed and put to flight, and very probably will endeavour to escape the hands of Justice by going beyond the Seas, Wherefore We have thought it necessary to give you notice hereof, and do hereby strictly charge and require you, that you use all diligence and care that no person or persons who have had any hand in the said Insurrections or Rebellions be suffered to pass out of this Nation by your Port, or any the creeks or precincts belonging thereto. The names of some of them you will find in the enclosed list who are fled. And to the end you may the better execute these Our commands, you shall not suffer any person or persons to pass your Port as aforesaid without they bring a pass from Us or our Council for that purpose. And this We require you to do with all exactness and circumspection, and likewise to secure such of the said rebels you shall find

¹⁴ *Ibid.*, pp. 233-5. Similar instructions were sent to twenty other commissioners. Cp. draft in *Cal. S. P. Dom.* (1655), pp. 77-8.

¹⁵ Reply, March 16, in *Thurloe*, iii, 252. Has mustered over 400 horse and foot and 200 more are in readiness. Men, horses and arms have been captured. Vavasor Powell has discovered the plot in North Wales and has himself brought the plotters to Red Castle.

within your jurisdiction, and persons who shall attempt to pass without license first had as aforesaid until, you can give notice thereof unto us. Given at Whitehall this 15th March 1654.¹⁶

Finally that there might be nothing lacking to the discomfiture of the insurrectionists, there was issued an order for the seizure of their property:

To the Sheriffs of Counties

As the persons hereunder named have lately raised forces and taken up arms for subversion of the Government, we, by advice of our Council, authorize you to inventory, appraise, and secure their goods and personal estate within your county, that the Commonwealth may have their value when the persons in rebellion are convicted by course of law. You may take security from any who offer it, and return it to us with the inventories. For the better effecting thereof, we recommend to you * * * being the Sequestration Commissioners in your county, as persons fit to be employed in the work.

You are also to give notice to the tenants of the said persons to forbear to pay to them any rents or arrears. We expect your special care and diligence, and a speedy account of your proceedings.¹⁷

Whitehall, March [17?] 1654-5

Repetitious as these may seem, there is nowhere to be found a series of documents which reveal so clearly the organization and methods of the Cromwellian system or the speed and efficiency with which it was set in motion and operated in the face of an emergency. Before such a system Royalist risings seem more than ever hopeless. Yet even these were not the only matters which demanded the Protector's attention at this moment. It was apparently in these busy days that the Quaker Thomas Aldam sought and found an interview with Cromwell to urge upon the Protector the error of his ways, "and at one time was moved to take his Cap from off his Head and to rend it in pieces before Oliver Cromwell, as a sign to him, that the Government should be rent from him."¹⁸ That, as it happened, was not to be the case, nor does it appear that the Protector was much influenced by it; but it reveals, among other things, the ease of access to him even at such a time as this and the spirit which moved some of his opponents.

¹⁶ Signed by Cromwell with his family seal at the bottom. In Sandwich Records, Letter Book, s/N.1, no. 98. Kindly communicated by Mr. E. C. Byrne, Town Clerk of Sandwich. Like orders were probably sent to the authorities of other ports as well. He also wrote a letter on March 16, of which only the date and signature now remain, to some one now unknown. (Listed by Anderson Galleries in coll. of Geo. D. Smith, *Am. Book Prices Current*, 1916 and again in 1921.)

¹⁷ Draft in *Council Order Book*, I, 75, p. 729; *Cal. S. P. Dom.* (1655), p. 83. Form approved March 16 (*ibid.*).

¹⁸ *A short Testimony concerning . . . Thomas Aldam.* By Thomas Aldam son (1690), p. 10. Cp. Fox, *Journal* (1911), i, 342 and 459n.; Braithwaite, *Beginnings of Quakerism*, p. 437; *Friends' Library*, xi, 332-3.

He was, as a matter of fact, much more concerned with the presence and activity of foreign envoys which the news-books emphasized at this moment. It was reported that the Portuguese ambassador, Dom Francisco de Ferrera Rebello, had arrived and presently had an audience at which he presented his master's ratification of the Anglo-Portuguese treaty.¹⁹ The Polish envoy, de Bye, sent credentials from his king,²⁰ and the agent of Denmark presented the ratification of the articles of peace.²¹

Whether or not the insurrection influenced their actions, other envoys took occasion at this time to demand attention from the Protector. Bordeaux insisted on an audience for the purpose of taking his leave, treaty or no treaty, and Paulucci reported that negotiations seemed to have fallen through.²² On the 14th Nieupoort demanded the release of the *Sheep* which had been seized by an English man-of-war with its cargo of salt on its way to Edam.²³ On the other hand, it was apparently at this time that Barrière offered Cromwell the services of his master, the prince of Condé, with the full knowledge of the Spanish ambassador, Cardenas, but the Protector was reported as refusing to take the offer seriously and was continuing his designs in the West Indies.²⁴ Under such pressure of business it is not surprising that the Council met more frequently than usual during this crowded week.²⁵ It read the draft of the commission to the militias of the several districts and approved its form as well as the instructions for the militia commissioners,²⁶ requesting additional instructions so that the commissioners might secure any one they suspected likely to disturb the peace.²⁷ It considered the draft of a commission for constituting Treasurers-at-war and requested a warrant from the Protector for passing a patent for that purpose — one of three orders which were approved by him on that day. It further accepted the draft of an order for continuing the Army Committee which later appeared in the form of a declaration.²⁸ It considered and referred to a committee a letter from the "cofferer" Maidstone asking for the remaining £19,000 of his £35,000 half-yearly allowance for the expenses of the Protector's family²⁹ — which gives some idea of the

¹⁹ *Perf. Diurn.*, March 12; *Perf. Proc.*, March 15; Paulucci to Sagredo, Mar. 24/Apr. 3, *Cal. S. P. Ven.* (1655-6), p. 40.

²⁰ *Perf. Diurn.*, March 12; Paulucci to Sagredo, Mar. 24/Apr. 3, *Cal. S. P. Ven.* (1655-6), p. 40.

²¹ *Perf. Diurn.*, March 12.

²² Bordeaux to Mazarin, March 12/22, Thurloe, iii, 221; *Cal. S. P. Ven.* (1655-6), p. 39.

²³ Thurloe, iii, 236.

²⁴ Paulucci to Sagredo, March 24/Apr. 3, *Cal. S. P. Ven.* (1655-6), p. 39.

²⁵ *Cal. S. P. Dom.* (1655), p. xxv.

²⁶ *Ibid.*, pp. 74, 77-8.

²⁷ *Ibid.*, p. 76 (March 14).

²⁸ *Ibid.*, pp. 76-7 (March 14); cp. *supra* and Abbott, *Bibliog. of O. C.*, no. 775.

²⁹ *Cal. S. P. Dom.* (1655), p. 76.

cost of that establishment and the difficulty of raising even so small a sum at this juncture.

The business of the remainder of this week of internal disturbance was of like nature. On March 15 came an order to the Admiralty judges to restore the *Neptune* of Copenhagen which had been seized trading with the islands of Nevis and St. Christopher, but, it was noted, only by special license of the local governors.³⁰ On March 16 was considered a petition of one John Clarke for restitution of £185 of assessment money stolen from his house in 1648, with note of its "holograph" reference by the Protector to the Council, which reported nearly a year later on January 24, 1655–6 merely "noted as read,"³¹ though whether Clarke ever got his money seems doubtful. Finally on this day the Council agreed to the form of the Protector's letter to the sheriffs and he in turn approved of three orders of the previous day.³²

By the end of the week of the insurrection the matter of securing the country seemed well in hand and besides clearing up various details connected with that event the time of the Protector and Council was taken up largely with other details of administration. The Protector himself seems to have attended but two Council meetings during the week of March 19th, chiefly to approve some thirteen Council orders ranging from February 27 to March 16.³³ On Monday the 19th he sent instructions to Blake which do not seem to have survived,³⁴ and an order to Prideaux to draw a warrant for the impressment of seamen:

To the Attorney-General [Prideaux]

Our pleasure is that, for well guarding the seas in these stirring times, and securing the trade and honour of the Commonwealth, you prepare a commission to the Admiralty Commissioners, and the Generals at sea, to impress mariners, shipwrights, and others, between 15 and 50 years old, for the fleets at sea, paying 1½d. a mile conduct money, and the wages given in former years; and also to take up ships, lighters, tackle, &c., at reasonable rates. Also to stay vessels in the Thames and impress men out of them, leaving as many as will serve them at their moorings; with provision for inflicting punishment on such as refuse impress, hide themselves to avoid it, fail to appear, having taken conduct money, or neglect to attend the service. Also with our strictest command against taking corrupt reward, or using sinister practises to spare or discharge persons or ships from impress; also proviso against the impress of the masters or officers of ships. With writ of assistance.³⁵

³⁰ *Ibid.*, p. 79.

³¹ *Ibid.*, p. 82.

³² *Ibid.*, p. 83; cp. *supra*.

³³ *Cal. S. P. Dom.* (1655), p. 88.

³⁴ Instructions to Blake in regard to the silver fleet, acknowledged June 12, referred to in Cromwell's letter of June 13, 1656. See Powell, *Blake*, pp. 276, 298.

³⁵ *Cal. S. P. Dom.* (1655), pp. 86–7 from *S. P. Dom. Interreg.*, I, 75, pp. 732–33.

The Protector was present at the Council meeting on March 21 "to observe the Thanksgiving Day" for deliverance from the recent insurrection, and after an address by him on that subject, praising God for that deliverance, the Council was edified by sermons from four preachers — French, Carryll, Cradock and Lockyer.³⁶ The Council sessions of the two days following, at the first of which the Protector was present, produced numerous letters chiefly connected with the matter of clearing up the aftermath of the late risings — one for Chief Justice St. John, Mr. Justice Atkins and the Recorder of London to appear before the Protector, doubtless to confer on the coming trials of the conspirators; one to Colonel Philip Jones to go to Yorkshire "to perform a special service for the state;" others for persons to prepare for the trials in the west, which the sheriffs of the counties involved were ordered to attend.³⁷ Of these the letter to Baron Thorpe and Serjeant Glyn has survived:

To our right trusty and right well beloved mr. baron Thorpe, one of the barons of our exchequer, and serjeant Glyn, of the judges of the assize for the counties of Berks, Oxford, etc.

Right trusty and right well beloved, we greet you well:

Whereas upon occasion of the late insurrection and rebellion in several parts of this nation (which through the blessing of God is suppressed) we find it necessary to advise with you concerning some proceedings to be had against the persons engaged therein; you are therefore, as soon as you have made an end of the circuit, to repair up hither with all convenient speed; wherein we would not have you fail, in respect our service is very much concerned therein.

[March — 1654-5]³⁸

Besides these activities much other business pressed on the Protector and his Council. They ordered the commissioners for the French treaty to go to ambassador Bordeaux "to receive what he shall offer."³⁹ They issued two warrants to Frost — one for £200 lent by Packer for paying Cromwell's regiment of horse which stood guard in the Mews, the other to Whalley "towards pay and discharge of the new listed soldiers in the several regiments and troops of horse."⁴⁰ To the Council the Protector referred two petitions of widely different character. The first, on March 19, was from the Greenland Commissioners "for 3 ships of strength, under experienced commanders, that they may defend their own ships, secure their fishing, and take the French as they have

³⁶ *Clarke Papers*, iii, 30; *Perf. Diurn.*, March 21.

³⁷ *Cal. S. P. Dom.* (1655), pp. xxv, 89-90.

³⁸ Thurloe, iii, p. 332. In Thurloe's handwriting.

³⁹ *Cal. S. P. Dom.* (1655), p. 90.

⁴⁰ *Ibid.*, p. 602. *Council Order Book*, i, 75, p. 739; *ibid.*, i, 105, p. 137.

occasion."⁴¹ The second, of March 24, which the Protector referred to the Council, was from Menasseh ben Israel, requesting "that those which may die of our nation may be buried in such place out of the city as we shall think convenient with the proprietor's leave in whose land the place shall be" and incidentally noting that they had been permitted to meet in their own houses.⁴² And finally on March 25, the first day of the new year, which happened to fall on Sunday, there is an "account of the issues of 16 small estates, houses, or lands in co. Chester, lately belonging to the King, and now to the Protector,"⁴³ in which, for some reason now long since forgotten, the government interested itself at this moment.

By the end of the first week after the attempted rising, the prompt and enterprising activities of that government had not merely resulted in the seizure of many prisoners but in their preliminary examination and the release of those definitely above suspicion.⁴⁴ At the same time it was predicted that orders would "be speedily sent down to the Commissioners for Sequestrations for several Counties, to sequester the Estates of all those that have had hand or appeared in this last Rising and Rebellion."⁴⁵ According to Bordeaux, strict search was made for Charles II and Ormonde, who were believed to be in England.⁴⁶ It was reported by the Venetian envoy that "every day Cromwell's absolute sway becomes more and more established" by the arrests of suspected persons and by keeping every one in fear of the army, which had now been paid. Though it was said that his rule "will not be permanent, he cares little for that, since he intends to enjoy the present as much as he can without troubling about his posterity, who have no aptitude and less inclination for great affairs and are content with the rank and honour they enjoy under the powerful and dominating shadow of their father."⁴⁷ In spite of Paulucci's observation and the Protector's announcement that the dangers of a Royalist plot were over, Cromwell continued to devote a large part of his time to consideration of further precautionary measures. He decided to issue commissions of oyer and terminer under the Great Seal for bringing to trial persons engaged in the insurrection.⁴⁸ He received a

⁴¹ *Cal. S. P. Dom.* (1655), p. 96. On April 2 the Committee for Foreign Plantations report favoring the granting of the commissions "on security not to use them except in the said voyage and not then unless first assaulted by the French."

⁴² Pr. in H. Belloc, *Cromwell* (Phila. & L., 1934), p. 330, from orig. in P.R.O.

⁴³ *Cal. S. P. Dom.* (1655), p. 96.

⁴⁴ Paulucci to Sagredo, March 18/28, *Cal. S. P. Ven.* (1655-6), p. 36.

⁴⁵ *Perf. Diurn.*, March 18.

⁴⁶ Bordeaux to Brienne, March 12/22. Thurloe, iii, 220-1.

⁴⁷ Paulucci to Sagredo, March 12/22, *Cal. S. P. Ven.* (1655-6), p. 35.

⁴⁸ Council Order Book, Interreg., I, 76a, pp. 34-9; *Cal. S. P. Dom.* (1655), p. 89 (Mar. 22, to be issued), p. 91 (Lawrence to Prideaux).

petition from Major Jeremiah Tolhurst, commander of Carlisle Castle, for moneys long since paid to one George Faunt for repairs,⁴⁹ and another from the Mayor of Southampton for deliverance of himself and his aldermen who had been imprisoned by Captain Martin Jubbs and his company who had been sent from Portsmouth as part of the treble guard to reinforce Southampton⁵⁰ and had somehow become involved with the Southampton authorities. The 5,000 London militia were reviewed on March 20 but the Protector was not present, sending his sons Richard and Henry and some of his household in his place.⁵¹

He was still busy with precautions against another rising. On that day Colonel Robert Gibbon requested more horses for his fourth troop at Maidstone,⁵² and from Suffolk it was reported that three regiments of foot and one of horse had been raised.⁵³ Besides a remonstrance from Salisbury to the Protector denouncing the plotters,⁵⁴ Desborough drew up a "list of the [138] prisoners in the counties of Devon and Somerset, committed upon the late insurrection," headed by the names of John and Edward Penruddock, Hugh Grove, Robert and George Duke, Francis and John Jones and Richard Reeves, all then in Exeter.⁵⁵ On March 24 Captain Robert Hope wrote that matters had quieted down in Worcester;⁵⁶ but all news was not quite as favorable, for Colonel Robert Duckenfield wrote to refuse a commission in Lancaster, save in case of foreign war, adding that Charles Stuart had 500 friends in a county adjacent to the Protector's.⁵⁷ Meanwhile the Protector had examined Norwood and Read at Whitehall and was evidently overseeing the whole matter of clearing up the aftermath of the insurrection personally. While he was busy at Whitehall taking steps to secure the country against further disorder, his commanders were busy dealing with the prisoners. Most of those captured at South Molton seem to have been taken to Exeter, some to Taunton, and two to Ilchester, from which places, between March 22 and 29, Penruddock, Jones, and possibly others, were brought to London as early as March 20 and were there examined by the Protector and Thurloe, while preparations were begun for the trials. It is perhaps significant that, contrary to previous revolutionary practice, no High Court of Justice was set up, which seems to suggest that the Protector assumed the position that the revolutionary period was now over; that there was a legal government; and

⁴⁹ Thurloe, iii, 300-301.

⁵⁰ March 19, *ibid.*, 273.

⁵¹ *Perf. Diurn.*, March 20; *Merc. Pol.*; *Cal. S. P. Ven.* (1655-6), p. 40.

⁵² Thurloe, iii, 282.

⁵³ Daniel Clenche to C., *ibid.*, p. 292.

⁵⁴ *Perf. Diurn.*, March 21.

⁵⁵ March 22, Thurloe, iii, 306-9.

⁵⁶ *Ibid.*, p. 297.

⁵⁷ March 23, *ibid.*, p. 294.

that rebels against it might be left to the ordinary courses of the law. It also suggests that he may have felt his government was secure enough to be able to dispense with any extraordinary or extra-legal procedure, and this, at any rate, proved to be the case.

By March 22, the day set for the thanksgiving service, preparations for the trials of the conspirators were well under way. Besides the appointment of St. John and Atkins, it was ordered that commissions of oyer and terminer be issued for Wilts, Dorset and Somerset, and a committee, including Thurloe, was appointed to attend to the matter. The next day its chairman, Sir Charles Wolesey, reported its conclusions to the four members present at the Council meeting. Besides the commissions of oyer and terminer to Thorpe, Glyn and Steele, a long list of men of lesser rank were summoned for that service. The Attorney General, Prideaux, and Mr. John Sadler were ordered to go down to prepare for the trials in the west; and various orders sent out including instructions to the sheriffs of the counties involved to notify the commissioners to attend to their duties in connection with the trials. On March 26, Baron Nicholas and Solicitor General Ellis were assigned to the same duty, and Mr. Roger Hill and Mr. Richard Graves named to take the place of Mr. Sadler. On April 3 it was decided that the commissioners should meet at Salisbury on April 11, at Exeter on April 18, and at Chard on April 23, and thus the stage was set for the great event. Meanwhile the examinations of the prisoners by the Protector and Thurloe went on in London, and Desborough and Boteler had been busy rounding up prisoners and evidence.

In all of this the Protector had naturally been active. His busiest day was March 24 when he wrote — or signed — letters to the militia commissioners of a score or more of the counties concerned, or supposed to be concerned, in the late insurrection. Of these there were two forms, which, with some minor variations in phraseology, were, in effect, as follows:

For Sir John Walsh, Serjeant-at-Law, and the rest of the Justices of Peace for the County of Worcester, or any of them, to be communicated to the rest; or, in his absence, to Nicholas Lechmere, Esq., Worcester

GENTLEMEN,

We doubt not but you have heard before this time of the hand of God going along with us, in defeating the late rebellious insurrection. And we hope that, through His blessing upon our labours, an effectual course will be taken for the total disappointment of the whole design. Yet knowing the restlessness of the common Enemy to involve this Nation in new calamities, we conceive ourselves, and all others who are entrusted with preserving the peace of the Nation, obliged to endeavour in their places to prevent and defeat the Enemy's intentions. And therefore, as a means especially conducing to that end, we do earnestly recommend [to you] to take orders that diligent Watches

(such as the Law hath appointed) be duly kept, for taking a strict account of all strangers in your Country, which will not only be a means to suppress all loose and idle persons, but may probably cause some of those who come from abroad to kindle fires here, to be apprehended and seized-upon, especially if care be taken to secure all those who cannot give a good account of their business; and may also break all dangerous meetings and assemblies together. Herein we do require, and shall expect, your effectual endeavours; knowing that, if what by Law ought to be done were done with diligence in this respect, the contrivance of such dangerous designs as these would be frustrated in the birth or kept from growing to maturity. I rest,

Your very affectionate friend,

Whitehall, 24th March 1654/5

OLIVER P.58

*For Major Wade, Major Creed, and the Mayor and Aldermen of the
City of Gloucester*

GENTLEMEN,

We doubt not but you have heard before this time of the good hand of God going along with us in defeating the late rebellious Insurrection; so that, as we have certain intelligence from all parts, the risings are everywhere suppressed and dissolved, and some hundreds of prisoners in custody, and daily more are discovered and secured. And we hope that, through the blessing of God upon our labours, an effectual course will be taken for the total disappointment of the whole design.

The readiness of the honest people to appear hath been a great encouragement to us, and of no less discouragement to the Enemy; who, had he prevailed, would, without doubt, have made us the most miserable and harassed nation in the world; and therefore we hold ourselves obliged to return you our hearty thanks for your zeal and forwardness in so readily appearing and contributing your assistance; wherein, although your country and your own particular as to outward and inward happiness were concerned, yet we are fully persuaded that a more general principle respecting the glory of God, and the good of all these nations, hath been the motive to incite you: and therefore your action goes upon the higher and more noble account.

You have desired that we would consider of ways how to find money to carry-on this work. If the business had not been allayed, we must have found out a way and means to supply⁵⁹ that want; but otherwise indeed we make it, as we hope we ever shall, our design to ease this Nation, and not to burden it; and are tender, as we conceive yourselves have been, of putting the good people

.⁵⁸ Lomas-Carlyle, App. 28, pr. from orig. in *Lechmere MSS.* (*Hist. MSS. Comm. Rept.* 5, App. p. 300. Dated Mar. 24). Similar letters to Essex, Kent, Gloucester, Leicester, South Wales, Stafford, Norfolk, Northampton, Hereford, Monmouth, Salop, Devon, Hants (*Cal. S. P. Dom.* (1655), pp. 92-3, sent to 51 places in all, list *ibid.*, p. 94). Also pr. in R. Warner, *Epistolary Curiosities*, 1st series (Bath, 1818), pp. 51-53, from which Carlyle printed it, following its error in direction to Sir John Wilde, not Walsh, as it should be. Cp. also *Perf. Proc.* Apr. 19-26 for similar letter to Northumberland, also in *Perf. Diurn.*, Apr. 24. Cp. Abbott, *Bibliog. of O. C.*, no. 742.

⁵⁹ "allay" in *Bibl. Gloucest.*

thereof to any unnecessary charge. And therefore, as you shall have fitting opportunity, you may recommend our thankfulness to your honest willing countrymen, as we hereby do to yourselves, for this their forwardness; and to let them know that when any danger shall approach, as we shall be watchful to observe the Enemy's stirrings, we will give you timely notice thereof: and we trust those good hearts will be ready, being called out by you, to appear upon all such occasions. In the mean time they may continue at their home, blessing God for His mercy, and enjoying the fruit and comfort of this happy deliverance, and the other benefits of Peace.

And I do hereby let you know that letters are directed to the Justices of Peace of the several counties, that diligent⁶⁰ watches be kept, such as the Law hath appointed, for taking a strict account of all strangers, especially near the coast, which will not only be a means to suppress all loose and idle persons, but may probably cause some of those that come from abroad [in order] to kindle fires here, to be apprehended and seized, especially if care be taken to secure all them that cannot give a good account; and may also break all dangerous meetings and assemblies together. And indeed if what by Law ought to be done were done with diligence in this respect, the contrivance⁶¹ of such dangerous Designs as these would be frustrated in the birth, or kept from growing to maturity.

Having said this, with remembrance of my hearty love unto you, I rest,
Your very affectionate friend,

OLIVER P.⁶²

Whitehall, 24th March, 1654[–5]

Not content with the sending of these various letters, a copy of those to the northern counties was printed in the *Perfect Diurnal* and even reprinted as a separate pamphlet.⁶³ But the Protector's correspondence was not confined to orders and warnings of discontent. The day following, he issued a pass to the Genoese ambassador, Fiesco, then about to return home, and wrote a letter of recommendation for him; he also

⁶⁰ "diligent" omitted in *Bibl. Gloucester*.

⁶¹ The word "contrivance" was "continuance" in the original. It should also be noted, perhaps, that there are similar letters of like date addressed to Col. Humphrey Brewster and . . . the Commissioners for . . . Suffolk which when Carlyle wrote was in the hands of Charles Meadows of Great Bealings, Woodbridge; a similar letter to Sir Thomas Honeywood, Col. Cooke, Dudley Templar, Maj. Haynes and the other commissioners for Essex, in S. P. Interregn., I 76A, pp. 34–5, and others like that to Suffolk to York (cp. Whitelocke, p. 621), Herts, Dorset, Chester, Lancs, Bucks, Somerset and Oxford, cp. *Cal. S. P. Dom.* (1655), pp. 92–3.

⁶² Text from Lomas-Carlyle, App. 28 corrected by Mrs. Lomas from Carlyle's original taken from *Bibliotheca Gloucestrensis* (Gloucester, 1825). Pr. also in 12th *Report of Hist. MSS. Comm.*, p. 509. Carlyle assumed from what he considered internal evidence of the style that the first form was written by Thurloe, the second by Cromwell.

⁶³ *Perf. Diurn.*, Tues., Apr. 24, 1655. Repr. in *A Letter from the Lord Protector sent into the north of England*. Abbott, *Bibliog. of O. C.*, no. 742.

wrote a long and important protest to the Sultan of Turkey over the seizure of one William White and his ship by the Algerians and his forced service and loss of his vessel at Rhodes:

To the Commissioners of the Admiralty and Navy instructing that a ship of war be prepared to receive the Lord Ambassador from the Commonwealth of Genoa, with his servants, goods and baggage.

Whitehall, 24 March, 1654[5]⁶⁴

Pass

To all our admirals and commanders att sea, and our officers, as well, Civil as Militarie, at Land, the Commissioners of our Customes, and all others whome these may concern.

Whereas his excellencie the Lord Ambassador Extraordinarie from the Commonwealth of Genoa now residinge here is upon his Retorne home; And our will and Pleasure beinge that the said Lord Ambassador in his passage thither should travell with all safetie and honour not only through theese Countries Butt at sea alsoe, Wee doe therefore heereby will and require you that you permitt and suffer the said Lord Ambassador to passe from England, beyond the seas to Genoa, with his Retienue, followers, and servants, consistinge of about thirtie-five persons, as alsoe his goods, necessary baggage, and foure Horses, without search, payment of Custome, or any other lets or interruptions, and that you use and treat the said Lord Ambassador with all the honor and respect that is due to a person of his degree and qualitie. Whereof you are not to faile; and for so doinge this shall be the said warrant given at Whitehall, the 25th of March, 1655.

OLIVER P.⁶⁵

To the most serene Duke and most excellent rulers of the state of Genoa.
Greeting.

Most noble duke, most excellent rulers, dearest friends.

We have learned through your envoy extraordinary, Ugo Fiesco, an excellent and noble man, of your great goodwill toward us and this state, as well as of your desire to preserve and increase the harmony and friendship that has existed between this state and your republic for many years past. Since this is as we would have it, we have made known to the said lord ambassador our reciprocal feeling and the ready acquiescence of our own mind in this matter; and we shall always be ready to express openly our goodwill which the present occasion gives us the opportunity to acknowledge. In the meantime, we desire Your Serene Highness and Your Excellent Lordships to be convinced that this embassy, as well as that noble man, was very welcome to us. The responsibility was given to one who loyally, and with skill and wisdom, has carried out the affairs entrusted to him, and who has earned the promotions dependent upon

⁶⁴ Listed in cat. Anderson Gallery, March, 1916. Cp. *Am. Book Prices Current*, 1916 and also 1898 when it was sold by Stan V. Henkels.

⁶⁵ From *The Antiquary*, iv (1881), 154-5; pr. also by Prayer in *Atti della Soc. Ligure di St. Patria*, xvi, 285.

your esteem. For the rest, we sincerely pray for your success and happiness, and for that of your republic.

Given at our Hall at Westminster the 26th of March, 1655.

Your good friend,

OLIVER P.⁶⁶

To the Sultan of Turkey

Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland etc. To the high and Mighty Emperor Sultan Mahomet Han Chief Lord and Commander of the Mussulman Kingdom, sole and supreme monarch of the Eastern Empire, health and true happiness:

Forasmuch as of long time a free trade commerce and intercourse hath been exercised by our subjects and people as well in your royal port as elsewhere within your kingdoms and dominions we for our part are right willing still to continue the same. And whatsoever favours our people have or at any time shall receive at your royal hands as we are ready to accept them with all grateful acknowledgment. So neither can we but be touched with a feeling resentment of the wrongs and injuries inflicted upon some of them, through the abuse and injustice of evil ministers and officers contrary as we are persuaded to the privity and knowledge of your Imperial Highness. These are therefore to give you to understand how that one William White an Englishman, commander of the ship *George* being on a voyage in the Mediterranean Sea was met with by the Algier, Tunis and Tripoli fleet and was required by the commanders thereof to serve your Royal Majesty against the Venetians which service he accordingly accepted, your own Chians and Capigi under their hands and seals together with the Admiral of Algier first promising to perform all conditions agreed on between them, both concerning money beforehand, monthly pay and freedom of ship and mariners, yet afterwards being at Rhodes under the command of the Castle they seized on his person, ship and mariners, the ship afterwards fired and lost in that service, the damage sustained amounting to fifty thousand dollars, as we are credibly informed not only by a petition to us directed from the aforesaid White but also by a certificate under the hand and seal of Sir Thomas Bendish our late Ambassador at your Royal port. And though many solicitations have been made for administration of justice, reparation of the great loss and redress of this wrong and injury, yet no relief hath been hitherto given therein. All which we taking into our serious consideration out of our tender care to the good estate of the people of this nation have thought fit more immediately to remonstrate the same to your Imperial Highness, trusting that upon sight of these presents you will be pleased to take particular cognizance here of and award your special orders and command for due satisfaction and reparation to be speedily given the aforesaid White, that so by his seasonable relief and the orderly performance of what was covenanted the justice of your government may be rendered more conspicuous. And thus we bid you farewell wishing you health and true happiness. Given at White-hall March 25th 1654[–5]

OLIVER P.⁶⁷

⁶⁶ Rawl. MSS. A261, f. 39v. Latin pr. *infra* in App. II (32a).

⁶⁷ Copy in Rawl. MSS. A261, pp. 38v–39. It was further noted that on March

The Genoese ambassador had taken his leave of the Protector on March 19, without, it was reported, "having realized any of his projects."⁶⁸ In addition to these notes of foreign affairs, it appears that the agent at Hamburg, Bradshaw, was still troubling the Protector about his quarrel with the English merchants there,⁶⁹ while his wife, who was in London, had apparently been presented to the Protector by Thurloe.⁷⁰ And at this point it seems that the Council took upon itself to advise the Protector to return thanks to the Mayor and militia commissioners of London "for their forwardness in execution of their trust;" to appoint officers to take possession of various parts of Windsor which had been purchased from Francis Thompson and Henry Cannon; and to issue warrants to the Treasury Commissioners to pay certain salaries,⁷¹ which it listed. Doubtless in connection with the recent disturbances, Sir William Russell, was refused a pass to go abroad,⁷² and an embargo was laid on all vessels "except fishermen and coasters from port to port" until April 3, possibly in retaliation for a like action by the French,⁷³ possibly to prevent the escape of the leaders of the insurrection. Perhaps inspired by the reported incident of Cromwell's life-guard who, in default of their pay, had broken into the Protectoral kitchen and eaten the food prepared for his table, on March 27 the Protector and Council ordered "more regular issuing of the first 3 of the present 6 months' assessment, by assignments or otherwise for pay of the army,"⁷⁴ while the Protector meanwhile, having taken the loss of his food lightly, ordered the men be paid and given the necessary provisions.⁷⁵

Amid this mass of miscellaneous business while the matter of the insurrection was being cleared up, the Council refused permission to Manuel Dormido, the cousin of Menasseh ben Israel, to export "1200 ryals of 8 in Spanish plate" for goods in the East Indies.⁷⁶ On March 28

⁶⁸ commissioners were appointed to visit the universities, colleges and schools in Scotland (*Perf. Diurn.*) and that ministers who prayed for Charles II were not to receive their stipends. Cp. Crawford, ii, 351, no. 2120.

⁶⁹ *Clarke Papers*, iii, 29; *Perf. Diurn.*, March 19; Paulucci to Sagredo, April 3, *Cal. S. P. Ven.* (1655-6), p. 40; *Cal. S. P. Dom.* (1655), p. 459; April 6, Vice-Admiral Lawson to the Admiralty Commissioners, "The Elizabeth has gone for Dieppe with the Genoese ambassador."

⁷⁰ Bradshaw to Cromwell, March 20, Thurloe, iii, 276.

⁷¹ K. Bradshaw to Thurloe, March 19, *ibid.*, p. 266.

⁷² *Cal. S. P. Dom.* (1655), pp. 96-7.

⁷³ *Ibid.*, p. 97.

⁷⁴ *Ibid.*, pp. 98, 100; *Perf. Diurn.*, March 26; Sagredo to Doge, March 27/ April 6, says the French had seized 5 English ships at Havre, 2 at St. Malo (*Cal. S. P. Ven.*, 1655-6, p. 42).

⁷⁵ *Cal. S. P. Dom.* (1655), p. 99.

⁷⁶ Paulucci to Morosini, March 31/April 10, *Ven. Trans. R. O.*; same to Sagredo, same date, *Cal. S. P. Ven.* (1655-6), p. 43.

⁷⁷ *Cal. S. P. Dom.* (1655), p. 102; cp. also above, Nov. 8, Dec. 5.

the debate in the Council on instructions for the government of Scotland was ordered renewed the next day, and the Protector and members were especially requested to be present.⁷⁷ The Protector apparently failed to attend on the 29th,⁷⁸ and the instructions were finally passed on the 30th:

Instructions for Council in Scotland

Instructions by the Protector, with advice of Council, to Gen. Geo. Monk, Roger Lord Broghill, Chas. Howard, Wm. Lockhart, John Swinton, Adrian Scrope, Sam. Desborow, Nath. Whetham, and Thos. Cooper, appointed his Highness' Council in Scotland, for the government of that nation:

- (1) To repair speedily into Scotland, and enquire into its state, and the readiest way for continuing good government, and preserving the union.
- (2) To promote the preaching of the Gospel and the power of true religion and holiness, and take care that the usual maintenance is received by pious and qualified ministers, according to the Ordinance of 8 Aug. 1654, for the better support of the universities of Scotland, and encouragement of public preachers there. Also that public schools be supplied with able, pious, and well affected schoolmasters, and all due encouragement given them.
- (3) To visit and reform the universities, colleges, and schools of learning, suspend such statutes as they find unfitting, propose others for encouragement of godliness and learning, remove scandalous, insufficient, or disaffected persons, and substitute others godly, learned, and fitting.
- (4) To remove from any corporations dangerous, disaffected, or scandalous magistrates or officers, and cause fit persons to be chosen.
- (5) To endeavour to preserve peace, and have justice well administered, and to promote the union by having the proceedings in courts of judicature conducted agreeably to the laws of England, as far as the rules of the courts will permit; and where this cannot be done, to certify the same to his Highness or Council.
- (6) To certify the state of the whole revenue, its nature, whether by lands, forfeitures, customs, excise, &c., and times of payment, and send a particular account at once, and yearly, representing how the revenue might be improved.
- (7) To take means to recover concealed revenue belonging to the Crown, archbishops, bishops, or deans and chapters, to improve the revenue, execute the orders for levying customs and excise, and see that all sums are paid into the Exchequer.
- (8) To consider of means to lessen the public expenses.
- (9) To send for, commit to prison, restrain, or take security of any opposing the Government, and to discharge them when they see cause. Also to remove to England, or elsewhere, any whose residence in the parts they inhabit is judged dangerous, and to licence their return when they see cause.
- (10) To reduce the officers and ministers employed on the service, and to set

⁷⁷ *Cal. S. P. Dom.* (1655), p. 103.

⁷⁸ *Ibid.*, p. xxv.

down, within 6 months, an establishment of salaries for Judges, Sequestration Commissioners, and others, and charge the same on the customs in Scotland, and 1/3 of the excise; the overplus of customs and excise, and the moneys from assessments and sequestrations in Scotland, to be charged with the pay of the forces in Scotland, and the rest for contingencies.

- (11) To transport to the English plantations such enemies in arms as are in their power.
- (12) To see that no Papist or disaffected person be charged with the administration of justice, or be in any place of trust, or be allowed to practice as counsellor or attorney, or to keep a school.
- (13) To command and use presses for printing proclamations, declarations, orders, books, &c., for the service, and to prohibit when needful their use by others.
- (14) To encourage commerce, advance manufactures and fisheries, consider how to improve them, and certify.
- (15) To require from the Commander-in-chief and civil magistrates, and others, all aid needful in execution of these instructions.
- (16) To appoint Commissioners for Customs and Excise, giving them power to recover all rates due, impose fines, issue warrants, summon persons, take oaths, imprison offenders, appoint inferior officers, receive appeals, and fulfil all the powers heretofore granted to any Commissioners for Customs or Excise, Commissioners for Preservation of Customs or for Receiving Appeals and Regulating Excise.

Proviso, that the Order and Declaration of Council for collecting the Excise in Scotland, bearing date 22 May 1655, do not make void an Ordinance of 23 March 1653-4, granting to the City of Edinburgh a tax of 4*d.* Scotch on all ale and beer spent there from 1 April 1654 to 10 Nov. 1657.

- (17) To cause the monthly assessments in Scotland to be raised and levied on personal and real estates, in such proportions and according to such rules as those raised in England.
- (18) The quorum to be 5.⁷⁹

It would appear that, in spite of the attacks on the Protector and his government which had increased in number and virulence since the dissolution of the late Parliament, he and his followers felt more secure after the suppression of the Penruddock rising. On March 25 the Protector approved of three orders; one of February 15 in regard to the continuance of almshouses; one of March 26 thanking the militia commissioners for their services; and one of March 28 in regard to a proclamation making effective the laws against Jesuits and the conviction of

⁷⁹ *Ibid.*, pp. 108-109, and note there: These instructions were passed 30 March, when the Committee who brought them in was to consider of an article to be inserted in place of one left out, and the names of the Commissioners were to be supplied by the Protector; but they are here entered with alterations made July 24, 1655, (*ibid.*, pp. 255-6) when they were ordered to bear date June 24, 1655.

Popish recusants.⁸⁰ Two days later he approved two others; one of March 28 regarding a letter to Colonel Charles Howard; the other of March 29 for a warrant to the Treasurers-at-war for £20,000 "as imprest on account for pay of the army."⁸¹ At the same time the Council ordered the reduction of 1,000 men in that army, to be taken from the five foot-regiments of the Protector, Lambert, Goffe, Ingoldsby and Barkstead.⁸²

The government had, indeed, little time to trouble itself about the paper war which was carried on against it, for it was busy not only with administration and the trials of the insurrectionists but with foreign affairs. Blake's expedition and the Western Design were now in full swing; relations with France were more or less strained; and England was even concerned with events in eastern Europe. Reports had been current for some time that Bordeaux was about to leave London, but his letters seem to show that this was merely a threat in order to secure a definite decision on the treaty which had been so long in the making.⁸³ Paulucci heard that the French ambassador had instructions to leave and that his audience with the Protector was deliberately delayed in spite of the rumor that a committee had been named to submit an article which might serve to keep the negotiation alive.⁸⁴ But it was evident that, apart from the dislocation of public affairs by the necessity of suppressing the insurrectionary elements,⁸⁵ the Protector was biding his time to see the effect of the Blake and Penn expeditions and was waiting for a better market for his alliance.

He was also busied with more distant fields. It was reported that the Polish envoy, de Bye, after waiting seventeen days for an audience, had appealed again for a hearing and was promptly received.⁸⁶ On March 29 he sent the Protector a memorial in regard to the war begun by Poland against Muscovy,⁸⁷ but Paulucci wrote that there was no hope for English aid for Poland because Cromwell resented the efforts of the Polish king to get support for Charles Stuart from the English and Scotch in that country.⁸⁸ In the meantime it appeared that Prideaux,

⁸⁰ *Ibid.*, p. 103.

⁸¹ *Ibid.*, p. 106.

⁸² *Ibid.*, p. 107.

⁸³ Bordeaux to Mazarin, same to his father, same to Brienne, all of March 29/April 8, Thurloe, iii, 311-13.

⁸⁴ Paulucci to Sagredo, March 31/April 10, *Cal. S. P. Ven.* (1655-6), p. 44; ep. *supra* and *Cal. S. P. Dom.* (1655), p. 90.

⁸⁵ On March 30 Harrison was ordered taken from Portland to Carisbrooke, and Rogers from Lambeth to Windsor. (*Cal. S. P. Dom.* (1655) p. 579; *Perf. Diurn.*, Apr. 24).

⁸⁶ Thurloe, iii, 303; Paulucci to Sagredo, *Cal. S. P. Ven.* (1655-6), p. 40.

⁸⁷ Thurloe, iii, 313-14.

⁸⁸ Paulucci to Sagredo, April 7/17, *Cal. S. P. Ven.* (1655-6), p. 46.

the English envoy to Muscovy, was virtually a prisoner in Moscow in the absence of the Czar. He had secured a letter from that monarch but suggested that it be translated by a merchant friend and confidant of his in Archangel as better versed in Russian than any one in England.⁸⁹ On March 28 the Portuguese ambassador was reported as having an audience with the Protector,⁹⁰ and at about the same time the news came of Penn's arrival at Barbados and his sailing with Venables for Hispaniola.⁹¹ The fact that Barbados had been the first goal of the expedition confirmed Bordeaux's opinion that Cromwell would be driven into war with Spain and this was given added significance by the Protector's warning not to embark capital too deeply in "that treacherous country."⁹² On the other hand he ordered full protection to be given to the merchants who were trading to Persia and India:

Protection to certain ships trading to India and Persia

OLIVER, Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereto belonging. To All to whom these presents shall come, or may any ways appertain, Greeting: Know you, that We, of Our especial grace and favor, have given and granted, and by these presents do give and grant unto Joseph Taylor, commander of the good ship called the Adventure, of Our port of London, Thomas Pott, commander of the good ship called the John and Thomas of London, Captain Michaell Dibbs, commander of the good ship called the Goodhope of London, John Gosnall, master of the good ship called the Lion, of London, and Captain Francis Steward, commander of the ship the Phenix of London, free liberty, license, and authority, to transport themselves, with the aforesaid ships, and their several lading of such lawful goods and merchandizes, together with such a number of merchants and other persons not obnoxious to this state and commonwealth, and with such ammunition, victual, and other necessaries, as shall be judged fit and convenient, and therewith to sail from Our said port of London, to the parts of India and Persia, to trade there and in all or any ports or places thereabouts; And to bear Our flag or ensigne in the said several ships respectively. And We do hereby require and command all persons belonging to this commonwealth, and do also pray and desire all Foreign Princes and States, and their subjects and people respectively, peaceably and quietly to permit and suffer the said Joseph Taylor, Thomas Pott, Captain Michaell Dibbs, John Gosnall, and Captain Francis Steward, and their factors and assigns, and others the persons aforesaid with them, and also the said ships, goods, and merchandize, to proceed in the said voyage accordingly, and to return again without interruption: And also to be aiding and assisting unto them, So that no damage, trouble, or prejudice whatsoever be done or offered unto them, or any of them, in their

⁸⁹ Prideaux to Thurloe, Moscow, March 28, Thurloe, iii, 386.

⁹⁰ *Perf. Diurn.*, March 28.

⁹¹ Salvetti's newsletter, March 30/Apr. 9, *Add. MSS. 27,962 O. f.41ob*; account in Heath, *Chronicle*, pp. 369-70; Whitelocke, p. 621.

⁹² Bordeaux to Mazarin, March 29/April 8, *Fr. Trans. R. O.*; again April 19/29.

passage and trading in the parts aforesaid. And Our will and express pleasure and commandment further is, That neither they the said Joseph Taylor, Thomas Pott, Captain Michaell Dibbs, John Gosnall, and Captain Francis Steward, nor any of them, nor any person or persons belonging to them nor the said ships, nor any of them, be imprested by any of Our commanders or others for Our service.

In witness whereof, We have caused these Our Letters to be made Patents. Witness Our Self at Westminster the nine and twentieth day of March, in the year of Our Lord one thousand six hundred fifty-five.

By the Lord Protector,

Beale⁹³

Besides this he took time to address a letter to the authorities of Rhode Island and the Providence Plantations on that same day:

To Our trusty and well-beloved the President, Assistants and Inhabitants of Rhode Island, together with the rest of the Providence Plantations, in the Narragansett Bay in New England

GENTLEMEN,

Your Agent here hath presented unto us some particulars concerning your Government, which you judge necessary to be settled by us here. But by reason of the other great and weighty affairs of this Commonwealth, we have been necessitated to defer the consideration of them to a further opportunity.

In the mean time we were willing to let you know, that you are to proceed in your Government according to the tenor of your Charter formerly granted on that behalf; taking care of the peace and safety of those Plantations, that neither through any intestine commotions, or foreign invasions, there do arise any detriment or dishonour to this Commonwealth or yourselves, as far as you by your care and diligence can prevent. And as for the things which are before us, they shall, as soon as the other occasions will permit, receive a just and fit determination.

And so we bid you farewell; and rest,

Your very loving friend,

29 March, 1655.

OLIVER P.⁹⁴

In the meantime examinations in regard to the plot went on in London without obtaining much new information, some of them confirming the connection of Sir Thomas Harris and Ralph Kynaston of Shrewsbury with the design, some the part of Penruddock and Wagstaffe in the Salisbury rising.⁹⁵ Inevitably there was a crop of volunteer evidence,

⁹³ Pr. in *Gentleman's Magazine*, li (1781), 363, from the original then in the collection of John Thorpe of Bexley, Kent. Now reported in collections of the Society of Antiquaries; cal. sub Mar. 20, 1656, in *Archaeologia*, 38 (1860), p. 82.

⁹⁴ Lomas-Carlyle, App. 28; *Mass. Hist. Soc. Proc.*, 2nd series, vii, 80; origin. in Rhode Island archives; copy in *Rawl. MSS.*, A261, f. 40.

⁹⁵ Thurloe, iii, 301-32.

some genuine, some obviously imaginative,⁹⁶ and there were more substantial repercussions of the affair. In London itself on Monday, the Lord Mayor, and several of the militia attended the Protector at Whitehall to request the revival of the Artillery Company of the City. With Cromwell's approval,⁹⁷ the Militia Commissioners met on Thursday and ordered that, subject to the Protector's assent, any citizen might drill in the Artillery Garden, recommending Skippon as commander of the volunteer company.⁹⁸ Colonel Charles Howard, the commander of the Protector's life-guard, was made colonel of Rich's regiment of horse which had earlier shown signs of disaffection that had led to the cashiering and trial of five of its officers in February.⁹⁹ Bramston and Oates, who had been involved with Overton and arrested by Monk, appear to have been released in London, Oates having an interview on March 30 with the Protector, "who gave him onely a sharpe reprooфе for his follies, upon promise of his faithfull deportment for the future."¹⁰⁰

Meanwhile, too, Cromwell's far-flung spy system kept in touch with its master. From Cologne, Sir John Henderson wrote Thurloe intimating that Fairfax had a commission from the King,¹⁰¹ and Manning and others reported that he "did discover the whole bottom" of the plot to the Protector when he found it was likely to fail.¹⁰² From Madrid Sir Benjamin Wright asked for letters of credence to be used in an emergency;¹⁰³ from Hamburg, John Gunter asked to be addressed as Isaake Blackwael for fear of offending the English resident there, Bradshaw, in whose house he lived.¹⁰⁴

During the first week of April the Protector apparently attended no meetings of the Council¹⁰⁵ which were consumed in preparations for the trials of the Salisbury insurgents,¹⁰⁶ and in clearing up much old business. The ship seized on its way to Edam, concerning which the Protector had written, was restored to its master as its merchandise was intended for use in Holland.¹⁰⁷ Discussion of a dispute which had arisen between

⁹⁶ Oliver Williams reported a Papist from Rome plotting to take the City and Tower of London (*ibid.*, pp. 309-10); Richard Green surrendered after going to a Royalist meeting and petitioned for clemency (*ibid.*, p. 332); William Armyne acknowledged the Protector's order of March 24 to the J. P.'s of Kesteven, Lincs (*ibid.*, p. 311).

⁹⁷ *Perf. Diurn.*, March 26.

⁹⁸ Thurloe, iii, 318.

⁹⁹ *Perf. Diurn.*, March 30; Firth-Davies, *Regimental History of Cromwell's Army* (Oxford, 1940), i, 151.

¹⁰⁰ *Clarke Papers*, iii, 31.

¹⁰¹ Macray, iii, 29, no. 94.

¹⁰³ Macray, iii, 29-30.

¹⁰² Thurloe, iii, 355, 358; cp. *ibid.*, p. 312.

¹⁰⁴ *Ibid.*, pp. 31-32.

¹⁰⁵ *Cal. S. P. Dom.* (1655), p. xxvi.

¹⁰⁶ *Ibid.*, pp. 112-14; six more letters sent April 5, *ibid.*, pp. 116-17.

¹⁰⁷ *Ibid.*, p. 113. Cp. *supra*, Mar. 14.

Alderman Fowke and the East India Company was postponed¹⁰⁸ as was the paper concerning captives in Algiers which had been referred by the Protector to Lawrence and by him to the Council.¹⁰⁹ On Hugh Audley's petition for removal of soldiers from his home, Goring House, Lambert, Montagu, Jones and Sydenham were ordered to consult with Cromwell.¹¹⁰ The chronic delay in transferring wardrobe goods from Thomas to Kinnersley was ordered stopped;¹¹¹ and under date of April 3 and 4 many passes were issued by the Protector and Council especially for persons going to Holland,¹¹² which seems to indicate that the recent restrictions on journeys between England and the Continent were being relaxed. A few alterations were made in the listings of fines to be imposed on the Scots reducing the total by a few hundred pounds, half to be paid by May 21, the rest by July 2.¹¹³ These matters, with the Protector's approval of ten orders from March 30 to April 4¹¹⁴ and some minor business in regard to the Protectoral property,¹¹⁵ comprised the major part of that uneventful week. Nor did the examinations held by the Protector and Thurloe in London or their agents in the country reveal much that was new, not even the examination of the Salisbury apothecary Macke, if we may judge from the letter sent to Colonel Dove:

To Colonel John Dove, High-sheriff of Wilts

Sir,

Major Wansey hath brought up Mack in safe custody, whom we have not found so ingenuous in his confession as was hoped and therefore he is committed for the present to the Serjeant at Arms, until further order be taken concerning him. The said Major hath acquainted us which you have also signified by your letters formerly, that you have raised 120 horse for the defence of the county against the authors and abettors of the late insurrection. And that they are still on foot. We have therefore thought it necessary to let you know that (the late rebellion being through the blessing of God suppressed, and there being now some of the standing troops of the army in the county) We would not have those honest men who have so readily appeared with their horse and arms against the enemy be kept longer upon service, but do desire you to dismiss them to their several homes giving them thanks in our name for their seasonable appearances, and assuring them that their pains and service

¹⁰⁸ *Cal. S. P. Dom.* (1655), p. 113.

¹⁰⁹ *Ibid.*, p. 115.

¹¹⁰ *Ibid.*, p. 113.

¹¹¹ *Ibid.*, pp. 113-14.

¹¹² *Ibid.*, pp. 580-81.

¹¹³ *Ibid.*, p. 118. The total seems to have been about £46,022; cp. also p. 70-2.

¹¹⁴ *Ibid.*, p. 116.

¹¹⁵ April 6, Frost's warrant for £1,000 to Embree for repairing Whitehall and others of Cromwell's houses (C. O. B., i, 75, pp. 5, 6, 12; I, 105, p. 142; *Cal. S. P. Dom.* (1655), p. 603).

shall be taken into further consideration. And we do also return you our hearty thanks for your fidelity and activeness manifested upon this occasion and rest.

Your loving friend,

OLIVER P.¹¹⁶

3d Apr. 1655.

Besides this, information poured in from every part of England while on April 4 the Protector was engaged in examining Penruddock and Jones,¹¹⁷ with little or no result. At Warwick, Creed secured Sherington Talbot of Shropshire and a Mr. Sacheverell of Oxford on suspicion and reported a rumor — which was baseless — that Charles Stuart had been in Oxford under the name of Stanley or Wallop.¹¹⁸ The information of a certain C. Henn on the inn-keeper and constable who had allowed Rochester and Armourer to escape from Aylesbury was of no help in recapturing them,¹¹⁹ though the Protector ordered a certain J. Grove in Ashford to be on the lookout for Rochester and arrest him if possible. This Grove was unable to do, succeeding only in getting seven passengers off of a vessel bound for France, one of whom mentioned another who was to attempt the Protector's assassination.¹²⁰ On the other hand a certain amount of rumor was confirmed when Fairfax wrote to Cromwell to beg pardon for having communicated with Charles II and to ask the Protector's leave for "a person of quality," who proved to be Rochester, to depart the kingdom.¹²¹ Meanwhile Gunter in Hamburg endeavored to keep the government informed of the moves of Rochester and Charles;¹²² and Cromwell's Royalist spy, Manning, was able to send in a list of the principal Royalists involved and their aliases.¹²³

Apart from clearing up the debris of the Penruddock design, the Protector seems to have been active only in foreign affairs at this time. He did, indeed, persuade Lionel Cranfield, third Earl of Middlesex, and a Mr. Seymour not to pursue their private quarrel to the point of a duel,¹²⁴ but for the most part his attention seems to have been fixed on matters overseas, of which two documents remain from this period.

¹¹⁶ Copy in *Rawl. MSS.*, A261, pp. 40-40v. For Dove and Wansey see above under Salisbury rising. Edmund Macke or Mackes was closely connected with that movement. Cp. his petition to the commissioners for oyer and terminer, Thurloe, iii, 375; and *Wills. Arch. and Nat. Hist. Mag.* xiii, 128.

¹¹⁷ *Clarke Papers*, iii, 32; *Perf. Diurn.*, April 4. It appears that the Protector examined these men until 11 P. M. on April 4.

¹¹⁸ April 2, Thurloe, iii, 334.

¹¹⁹ *Ibid.*, pp. 333, 335-6.

¹²⁰ April 7, *ibid.*, pp. 352-3.

¹²¹ H. Bennett to Charles II, April 6/16, *Hist. MSS. Comm. Repts.*, Ormonde papers at Kilkenny Castle, n. s., i, 316.

¹²² Enclosed in letter to Cromwell from George Marshall, Warden of New College, April 4, Thurloe, iii, 345-46.

¹²³ April 3, *ibid.*, pp. 338-39; April 4, *ibid.*, pp. 343-44.

¹²⁴ *Merc. Pol.*, Apr. 5-12.

The first was to that John Leverett, sometime in the Parliamentary army, commissioner to Maine, and more recently colonial agent for Massachusetts in England:

To Captain John Leverett, Commander of the Forts lately taken from the French in America

We have received an account from Major Sedgwick of his taking several Forts from the French in America, and that he hath left you to command and secure them for Us and this Commonwealth: And although We make no doubt of your fidelity and diligence in performance of your trust, yet We have thought it necessary to let you know of how great consequence it is, that you use your utmost care and circumspection, as well to defend and keep the Forts abovesaid, as also to improve the regaining of them into Our hands to the advantage of Us and this State, by such ways and means as you shall judge conduicible thereunto. And as We shall understand from you the state and condition of those places, We shall from time to time give such directions as shall be necessary.

Given at Whitehall, this 3d of April 1655.

OLIVER P.¹²⁵

The other was to the Prince of Tarente, one of Condé's officers, who had earlier written to Cromwell to invoke his interest in French Protestantism, and who had returned from Holland to be arrested for his activities against the French monarchy:

To the Prince of Tarente

Oliver, Protector of the Republic of England, to the most illustrious Prince of Tarente

Your love of religion clearly made known in your letters delivered to us, and your exceeding piety and singular affection to the reformed churches, especially considering the nobility and splendor of your character, in a kingdom, too, wherein there are so many and such abounding hopes proposed to all of eminent quality that revolt from the orthodox faith, so many miseries to be undergone by those who are more resolute and constant, gave us occasion of great joy and delight of mind. Nor was it less grateful to us that we had gained your good opinion, upon the same account of religion, which ought to render your Highness especially beloved and dear to us. We call God to witness that whatever hopes or expectations the churches, according to your relation, had of us, we may be able one day to give them satisfaction, if need require, or at least to demonstrate to all men how much it is our desire never to fail them. Nor should we think any fruit of our labors, or of this dignity or supreme employment which we hold in our republic, greater than that we might be in a

¹²⁵ Lomas-Carlyle, App. 28. Original in *Mass. Hist. Soc. Proc.*, third series, vii, 121. For Sedgwick's instructions see *supra*, Feb. 8, 1653-4; and in *4th Rept. Dep. Keeper Pub. Records*, App. ii, pp. 192 and 260 are grants of Privy Seal to Sedgwick for £1,793/7/8 and to Leverett for £4,482/3/1½ for salary and expenses in services against the French in America.

condition to be serviceable to the enlargement, or the welfare, or, which is of the greatest importance, to the peace of the reformed church. In the mean time we urge your lordship strongly to remain steadfast to the last moment in the orthodox religion, with the same resolution and constancy as you profess it received from your ancestors with piety and zeal. Nor indeed can there be anything more worthy (of) yourself or your religious parents, nor in consideration of what you have deserved of us, though we wish all things for your own sake, that we can wish more noble or advantageous to your lordship than that you would take such methods and apply yourself to such studies that the churches, especially of your native country, under the discipline of which your birth and genius have rendered you illustriously happy, may be sensible of so much the more assured security in your protection, by as much as you excel others in lustre. Vale.

Whitehall, [4] April, 1655.¹²⁶

It is evident from these and from other sources that the Protector's foreign policy was beginning to come to a head. Sedgwick and Leverett had made their expected demonstration against the French possessions in Acadia or Nova Scotia, of which it is fair to assume the French government had been advised. The vessels of the Western Design had arrived in the Caribbean, and it cannot be supposed that the authorities in Spain were unaware of that fact. In the Mediterranean, Blake's expedition was having its effect. The Genoese authorities wrote the Protector offering their friendly offices to the English fleet.¹²⁷ On April 4 Blake sailed into Porto Farino and fired nine Tunisian ships in spite of the resistance of the shore batteries, in retaliation for the refusal of the Dey of Tunis to consider a demand for reparation for the losses the English had suffered at the hands of Turkish pirates.¹²⁸ In view of the strength the Protectoral government was exhibiting on the sea, Holland was reported having refused to sell ships to France for fear of disobliging the English.¹²⁹ It was rumored that an envoy from the Prince of Transylvania was on his way to the Protector,¹³⁰ and that the Marquis of Leda was to be sent as an ambassador extraordinary to England from Spain.¹³¹

¹²⁶ Symmons, *Milton*, iv, 377-78. No. 32 in Skinner Trans. Cp. Hamilton, *Milton Papers*, p. 15; Masson, *Milton*, v, 175; Visscher's ed. of Leti's *Cromwell*, ii, 240, dated there June 26, 1654; Columbia *Milton*, no. 50, dated only "die Aprilis, 1655." Henry Charles, Prince of Tarente or Tarentum, was a Protestant by education and connected with Germany by marriage. He was arrested in France on his return from Holland in 1655 and imprisoned for some time. He was converted to Catholicism in 1670. The Tarentaise is in the extreme southeastern corner of France adjacent to Switzerland.

¹²⁷ April 1/11, Thurloe, iii, 332.

¹²⁸ Whitelocke, p. 627; Blake to Thurloe, April 18/28, Thurloe, iii, 390; Powell, *Blake*, March 14/24, pp. 288-89, 291, 294-95; *Perf. Diurn.*, May 22.

¹²⁹ Sagredo to Doge, *Cal. S. P. Ven.* (1655-6), pp. 44-45 (April 3/13).

¹³⁰ *Perf. Diurn.*, April 3.

¹³¹ Whitelocke, p. 621 (March, 1654-5).

The King of Sweden wrote to Cromwell on behalf of Lord Lauderdale and his brother Laundie, then prisoners,¹⁸² and Lord Douglas wrote to Whitelocke to intercede for them, which he did, with success but no thanks.¹⁸³ From Zürich came a letter in regard to the debts of the English resident there, one Fleming.¹⁸⁴ Meanwhile in London, Bordeaux still waited the Protector's pleasure, the newest excuse for not receiving him being that the French must have been privy to the late plot since they had been preparing to send forces under the Duke of York,¹⁸⁵ and had been seizing goods and ships in France at the moment of the rising.¹⁸⁶ Fiennes and the commissioners for the French treaty meanwhile offered him new inducements to remain by preparing a paper to be delivered to him "by word of mouth," and so managed to avoid a breach of negotiations. Pending its arrival the French ambassador resorted to bribery to achieve his purpose,¹⁸⁷ since it appeared that he could not gain his ends by direct means and that there were men even in this "godly" company of revolutionaries accessible to such means of persuasion. Thus, all in all, even while the Protector was clearing up the remnant of disaffection at home, his principal concern was with the development of his policies overseas. Among them was that of Ireland, to which at this moment he addressed a letter to Fleetwood to stimulate the transplantation activities, which for some reason the Lord Deputy had for the time being apparently suspended:

To the Lord Deputy of Ireland

Sir,

I have thought it necessary to send and refer unto you the enclosed petition, the case of the petitioners as it is represented therein deserving an equitable consideration, and may justly put a difference between them and those who were intended by the act of Parliament to be transplanted. And I find you did heretofore in that respect suspend the transplantation for some time. My desire is that you will with what speed you can reassume the consideration hereof and with the advice of the Council to give such direction concerning the petitioners and what is desired by them, as is fit and reasonable, with respect had to the sadness of their present condition. And so I bid you farewell and rest, &c.

OLIVER P.¹⁸⁸

Whitehall, 5th of

Apr. 1655.

¹⁸² Lauderdale in Tower Oct. 2, 1651 (*Cal. S. P. Dom.*, 1654, p. 273; in Portland Castle by Aug. 9, 1655 (*ibid.*, 1655, pp. 274-5) and *supra*, vol. ii, pp. 474-75).

¹⁸³ Whitelocke, p. 621.

¹⁸⁴ Thurloe, iii, 342-43.

¹⁸⁵ Bordeaux to Brienne, April 5/15, *ibid.*, pp. 347-8.

¹⁸⁶ Thurloe to Pell, Apr. 6, Vaughan, *Cromwell*, i, 164. It has also been asserted ("Journal de Deslyons" in *Docts. d'histoire 17e-19e siècles*, ii, 55 ff.) that Cromwell had communication with the Jansenists.

¹⁸⁷ Jusserand, *Recueil des Instructions*, "Angleterre," i, 208 and notes; *Cal. S. P. Dom.* (1655), p. 118. ¹⁸⁸ Copy in *Rawl. MSS.*, A261, ff. 40v-41.

But his preoccupation with foreign affairs did not interfere with the plot. On April 9, Penruddock and Jones who had been examined in London by the Protector and Thurloe, were sent with the apothecary Macke to Salisbury,¹³⁹ where they arrived on April 11, and thence Penruddock and Jones were sent on to Exeter for their trial.¹⁴⁰ Armstrong and Kynaston who had been brought from Shrewsbury to London on the Protector's order were examined by him and committed to Lambeth,¹⁴¹ and the governor of Shrewsbury, Colonel Mackworth, was ordered to disband his company and accept another in its stead from Worcester:

[*To Col. Mackworth*]

Sr.

[This is to advise you of t]he coming of a Comp[any of horse?] of Shrewsbury which I have [sent and order you af]ter immediately to disband your Comp[any, and your] self and the Deputy Governor to have the [troop]s now, To which end, orders are sent to th[e said Compa]ny to Worcester, to obey you and your Depu[ty Gover]nor: as the Commanders in Chief of that place. The reason of this is, That the said Castle and Town may be in a better security than we understand them now to be in, by reason many [of your present company are] Townsmen, who have dwellings in the Town, and cannot be so well relied upon for exact duty as strangers may, I desire that observance to these orders may be punctually rendered by you.

I rest

Your loving Friend,

OLIVER P.¹⁴²

10 Apr. '55

The arrangements having been made to bring the insurrectionists to trial, Penruddock and Jones arrived in Salisbury on April 11¹⁴³ with the legal and judicial authorities appointed to try them — the Lords Commissioners Lisle, Rolle, Nicholas, Windham, Steele and twelve or thirteen local commissioners of oyer and terminer. Before them were placed the names of some 26 prisoners accused of plotting the "death, destruction, and utter ruin of the . . . Lord Protector" sent down from London with a copy of the indictments, in some cases for treason, in some merely as "highwaymen and horse-stealers" since "the evidence will not

¹³⁹ *Perf. Diurn.*, April 9.

¹⁴⁰ *Ibid.*, April 13, 14.

¹⁴¹ *Ibid.*, April 10, repeated April 13 and 14.

¹⁴² S. P. Dom Interreg. xcix, no. 82, i. Partially torn away. Summary in *Cal. S. P. Dom.* (1655), p. 255, with note that it was enclosed in a petition from Mackworth of July 24, 1655, asking a week's pay for his own company beyond what the Army Committee had allowed him, and saying that the Worcester troop did not arrive until April 18. Cromwell approved the order for extra pay on Aug. 2.

¹⁴³ *Perf. Diurn.*, Apr. 9; cp. *ibid.*, Apr. 13-14.

set them higher" and at best the proofs were "very lame."¹⁴⁴ All those who did not appear were outlawed and their property seized. The trials were held promptly and with despatch, and the reports of the number convicted vary. On April 13 a bill of treason was found against 11 men, of whom only 7 were in custody. Apparently three were acquitted; three found guilty; and one confessed. Six or seven were convicted of treason, at least as many for felony. Seven of those convicted were sentenced to be hanged, drawn and quartered; the rest merely hanged,¹⁴⁵ the sentence being carried out on May 8. Three, of whom the principal was a Mr. John Lucas, "a man of fine estate," were executed later, though by Cromwell's special command "they were spared all other pains but by beheading or hanging." Every effort was made to save some of those condemned,¹⁴⁶ and it even seemed that Manning's suggestion the Protector might gain more by clemency than by severity might not go unheeded, though on the 13th he was reported still examining prisoners and the result of the Salisbury trials was not encouraging to them.¹⁴⁷

It was apparently on Monday, April 9, of this week that the *Naseby* which had cost £150,000 was launched in the presence of the Protector's household. Evelyn wrote, "I went to see the great ship newly built by the usurper Cromwell, carrying 96 guns and 1,000 tons burthen. In the prow was Oliver on horseback trampling six nations under foot—a Scott, Irishman, Dutchman, Frenchman, Spaniard and English. . . . A Fame held a laurel over his insulting head."¹⁴⁸ It was a symbol of the times. No one realized better than he and his advisers the importance of sea-power in the situation in which they found themselves. As was said, "The Protector fully realizes that great strength at sea may support him on land also, and bring him friendship and repute in every part of the world, as it actually is doing."¹⁴⁹ It was scarcely less important to the maintenance of his authority at home than it was to his influence abroad which in turn contributed to that authority.

He did not, however, on that account relax his vigilance in the British

¹⁴⁴ Thurloe, iii, 365–6 (list), 370–1 (indictment).

¹⁴⁵ Cp. Heath, *Chronicle*, p. 372 (5 executed: Lucas, Kenney, Thorp, Lawrence, Fryer; Dean reprieved); Thurloe, iii, 376 (15 condemned: 8 for felony, 7 for treason); *Perf. Diurn.*, Apr. 17–18 (13 condemned: 7 for treason); cp. also Thurloe, iii, 372–3.

¹⁴⁶ See *ibid.*, pp. 373, 375–6, 377, 378, 380, 381.

¹⁴⁷ Manning to Thurloe, Apr. 10, *ibid.*, p. 358; *Perf. Proc.*, Apr. 13.

¹⁴⁸ Evelyn, *Diary*, Apr. 9.

¹⁴⁹ Paulucci to Sagredo, April 14/24, *Cal. S. P. Ven.* (1655–6), p. 48. Cp. N. Oppenheim, *Admin. of Royal Navy* (1896), pp. 336–37; *Memorials of Penn*, ii, 8on.; Pett to Navy Commissioners, *Cal. S. P. Dom.* (1655), p. 462; R. C. Anderson, *English Ships*, 1649–1702 (1935), says the *Naseby* carried 80–86 guns and was built at Woolwich, probably by Chr. Pett. *Merc. Pol.*, Apr. 5–12: "framed purposely for war . . . 100 pieces of ordnance."

Isles themselves. Even while the festivities of the launching of this engine of foreign policy were being carried out, the preparations for the trials of the insurgents were being concluded. Pending the trials, and the examinations and reports on the plot, the Council routine of meeting on Tuesdays, Thursdays and Fridays was resumed,¹⁵⁰ and in this week there was issued a surprising number of passes — 14 for Holland and 6 for Ireland.¹⁵¹ This procedure endured for many months, especially in the case of Holland, though it is notable that on April 12th the Council forbade the issue of licenses for exporting horses for the ensuing three months.¹⁵² On the 10th the Protector approved the proposed ordinance reducing certain Scotch fines.¹⁵³ Four days later he approved the Council's ratification of ten orders, from March 26 to April 12; assented to the Council's ratification of an award for the losses of the East India Company at the hands of the Dutch;¹⁵⁴ ordered the commissioners to meet in Amsterdam to determine the respective losses of the English and the Dutch;¹⁵⁵ and finally, on the Council's advice, issued an order for payment of the assessments levied for the forces in the counties where they were raised.¹⁵⁶ On April 12 he signed an order to Frost to pay for the keep of an unnamed prisoner:

Warrant

OLIVER P.

These are to will and require you out of such moneys as now are, or shall come to your hands on Accompt of our Council's Contingencies to pay unto William Booker, Marshall of our own Regiment of Foot the sum of Fifteen pounds, one shilling, and four pence in satisfaction of his Bill for so much by him expended for diet, and other necessaries for a prisoner in his custody, and charge thirty two weeks: Of which you are not to fail, and for which this shall be your warrant. Given at Whitehall the 12th of April 1655.

To Gualter Frost Esq. Treasurer
for Our Council's Contingencies.¹⁵⁷

Mingled with these were matters of even less general importance, such as always afflict a man in Cromwell's position. On April 13 he advised that all complaints of the abuse of charitable institutions in Middlesex or

¹⁵⁰ *Cal. S. P. Dom. (1655)*, p. xxvi.

¹⁵¹ *Ibid.*, pp. 581-82.

¹⁵² *Ibid.*, p. 122. For exceptions to this regulation see *ibid.*, pp. 582, 588-91, chiefly for officials and diplomatic representatives.

¹⁵³ *Ibid.*, pp. 117-18 (see April 6).

¹⁵⁴ *Ibid.*, p. 127; cp. *ibid.*, p. 122. Not to be confused with Fowke's petition, postponed from the 3rd to the 11th to the 18th to the 25th, on the 26th for another week (*Foster, Court Minutes*, v, 17-19 and *ut supra*).

¹⁵⁵ *Cal. S. P. Dom. (1655)*, p. 122.

¹⁵⁶ *Ibid.*, pp. 123-24. In Council April 12, approved April 14, passed May 17.

¹⁵⁷ *Sloane MSS. Br. Mus.*, 1519, f. 156. Booker's receipt on reverse, dated May

of their funds be brought to Worcester House to be heard by a "Court holden the 13 of April, 1655, at Worcester House by the Commissioners for the County of Middlesex . . . for charitable uses."¹⁵⁸ To him the Admiralty Commissioners referred on February 21 a petition from one Stephen Pound, whose boat had been impressed for hire on September 13, 1651, to go to Jersey, for a balance of £26/2/9 due him, but of that sum the Protector and Council allowed him but five pounds.¹⁵⁹ And there is a certain irony that the ruler of the British Isles and empire concerned himself with a matter of five pounds long overdue while at almost the same moment he had to consider matters of so much greater import. For at this time Nieupoort sent to him the petition of the Dutch merchants resident in London and his own request for the same protection "as they have always enjoyed under former governments; or that at least nothing may be decreed, order'd, or innovated to their prejudice."¹⁶⁰ Again Bradshaw wrote from Hamburg to defend himself against the accusations of the English merchant adventurers there;¹⁶¹ and again Benjamin Wright wrote from Madrid for a letter of credence from the Protector to protect him against arrest or threatened execution.¹⁶² On April 11 the Protector received Coyet who announced the impending arrival of an ambassador from Sweden, and with Coyet Cromwell exchanged ratifications of the commercial treaty of 1654¹⁶³ and discussed plans for levying six or eight thousand Highlanders for the Swedish service. In addition

Coyet delivered "his proposition" in Latin, which the Protector answered in English and said it was a pleasure to him to perceive the kind and friendly intention of the King of Sweden toward him the Protector; and that the English Republic would maintain all friendly correspondence and intimacy; he for his part would be inclined to do the same so that the King of Sweden would not have any reason to think that the Protector had not "fulfilled his obligation as a good friend." He informed Coyet that as soon as the first group of commissioners should be formed, he would enter into conference with them and negotiate.¹⁶⁴

Three days later Whitelocke reported to Coyet that he had been with the Protector and had found him well disposed toward Sweden and the

24, 1655. Listed in Ayscough's catalogue, i, 192. *Cal. S. P. Dom.* (1665), p. 600 notes Booker as "marshal at St. James's."

¹⁵⁸ *Perf. Diurn.*, April 16.

¹⁵⁹ *Cal. S. P. Dom.* (1655), pp. 125-26. On April 13 Cromwell appointed Benjamin Dumaresq to be attorney-general in Jersey, and Daniel Norman to be vicomte there (*Le Quesne, Const. Hist. of Jersey*, p. 341).

¹⁶⁰ Thurloe, iii, 357 (April 10/20).

¹⁶¹ April 10, *ibid.*, p. 360.

¹⁶² Wright to Thurloe, April 12/22, *ibid.*, pp. 366-68.

¹⁶³ Cp. *supra*.

¹⁶⁴ Carlbom, *Sverige och England* (Göteborg, 1900), p. 10.

King; the Protector had promised to see to it that Coyet should return home with a satisfactory reply "if he could only find time first to dispose of some important affairs that were lying heavy on his hands."¹⁶⁵

It was apparently about this time, also, that he addressed to another Scandinavian prince a formal protest in regard to the seizure of a ship:

To the King of Denmark

Most Serene and Potent Prince,

John Freeman and Philip Travess, citizens of this republic, by a petition presented to us, in their own and the name of several other merchants of London, have made a complaint, That whereas about the month of March in the year 1653, they freighted a certain ship of Sunderburg, called the Saviour, Nicholas Weinskinks master, with woolen cloth, and other commodities to the value of above three thousand pounds, with orders to the master, that he should sail directly up the Baltic for Dantzic, paying the usual tribute at Elsenore, to which purpose in particular they gave him money: nevertheless that the said master, perfidiously and contrary to the orders of the said merchants, slipping by Elsenore without paying the usual duty, sailed thru the Baltic, that the ship for this reason was seized and detained with all her lading not without great loss to the merchants in whose behalf we wrote to your majesty's ambassador residing at London, who promised, as they say, that as soon as he returned to your majesty, he would take care that the merchants should be taken into consideration. But he being sent to negotiate your majesty's affairs in other countries, the merchants attended upon him in vain, both before and after his departure; so that they were forced to send their agent to prosecute their right and claim at Copenhagen, and demand restitution of the ship and goods; but all the benefit they reaped by it was only to add more expenses to their former damages, and a great deal of labour and pains thrown away; the goods being condemned to confiscation, and still detained: whereas by the law of Denmark, as they set forth in their petition, the master is to be punished for his offence, and the ship to be condemned but not the goods. And they look upon this misfortune to lie the more heavy upon them, in regard the duty which is to be paid at Elsenore, as they tell us, is but very small. Wherefore seeing our merchants seem to have given no cause of proscription, and for that the master confessed before his death, that this damage befel them only through his neglect; and the father of the master deceased, by his petition to your majesty, as we are given to understand, by laying all the blame on his son, has acquitted the merchants; we could not but believe the detaining of the said ship and goods to be most unjust; and therefore we are confident, that so soon as your majesty shall be rightly informed of the whole matter, you will not only disapprove of these oppressions of your ministers, but give command that they be called to an account, that the goods be restored to the owners or their factors, and reparation made them for the losses they have sustained, All which we most earnestly request of your majesty, as being no more than what is so just and consentaneous to reason, that a more equitable demand, or more legal

¹⁶⁵ *Ibid.*, pp. 10-11.

satisfaction cannot well be made, considering the justice of our merchants cause, and intending to be fair and honest to your own subjects upon the like occasions.

OLIVER P.¹⁶⁶

[April 14, 1655]

The business of the following week was largely financial, and for the most part of minor character. At the Tuesday meeting — which was the only one of the four that week which the Protector attended — the Council devoted itself to cutting down the salaries of some officials and attendants, establishing other salaries and the pensions to some of its prisoners, and advising warrants for payment.¹⁶⁷ The next day it ordered that the Protector's life-guard be paid out of some assignment other than the "old arrears due to the army," to be sure that the men got their money.¹⁶⁸ The vote of April 6 suspending some of the Scottish fines¹⁶⁹ was supplemented by an order that the dates for payment be extended from May 21 and July 2 to June 25 and September 29 respectively, but there is no indication that the proposition made to the Protector by those fined that they be permitted to collect the debts due them, after payment of the fines, was ever acted upon; and it is possible this was not allowed, as it was contrary to the Act of Grace.¹⁷⁰ All in all, the situation of those who fell under the displeasure of the government for whatever reason was peculiarly unfortunate, and it may be noted that about this time the Protector wrote to Monk about the delinquency of the Earl of Callander, whose estates had been sequestered in 1654 and who, according to his own account, had been a prisoner on bond for some ten months. The Earl, who had been largely responsible for the defeat of the Scots' army under Hamilton at Preston, was under grave suspicion, but Monk wrote the Protector that the only evidence he could find against him in Judge Advocate Whalley's possession was contained in the two letters he enclosed and recommended only that the Earl be fined.¹⁷¹

The other business of the week was of still less consequence. Jonas Scott, collector of customs at Wells, was ordered to send "in safe custody" to London the two Englishmen he had stopped on their way from

¹⁶⁶ Symmons, *Milton*, iv, 396–7; Columbia ed. Milton's *Works*, no. 64. Undated in Phillips, Symmons and Skinner Transcripts; Masson dates, conjecturally, Feb. 16, 1655–6. Pr. in Visscher's edit. of Leti's *Life of C.* under date of April 14, 1655, and though Visscher is often inaccurate this seems as probable a date as any (ii, 283).

¹⁶⁷ *Cal. S. P. Dom.* (1655), pp. xxvi, 127–28.

¹⁶⁸ Lawrence to Army Commissioners, April 18, *ibid.*, p. 131.

¹⁶⁹ See above, April 6.

¹⁷⁰ *Cal. S. P. Dom.* (1655), pp. 129–30 and order of April 19 in *Hist. MSS. Comm. Repts., Various Collections*, v, 163.

¹⁷¹ *Cal. S. P. Dom.* (1655), p. 277. Monk's reply, Thurloe, iii, 411.

Rotterdam.¹⁷² A petition to Lambert from Captain Rhodes in regard to pay for men for fitting themselves out as troopers and travelling to London was referred by the Protector to Whalley and others,¹⁷³ and a curious side-light on some of the consequences of the revolution is a note to the effect that in 1653, according to the petition of the servants of the late King's children, "his Highness requested a proviso that there should be no obstruction in their payments," in spite of which the Council laid aside the request.¹⁷⁴ On April 20 it asked the Protector to make use of a Privy Seal,¹⁷⁵ and on that same day he sent instructions to the Irish Council in regard to the fines to be imposed on those who, even though they had submitted to the Commonwealth before December 1, 1649, "were not instrumental in the rendition of the garrisons," even though Protestants:

Oliver P. Whereas by an ordinance of us and our Council entitled 'An Ordinance for indemnity to the English Protestants of the Province of Munster in Ireland,'¹⁷⁶ it is, among other things, provided and ordained that all and every person and persons who submitted to the authority and protection of the Commonwealth of England before 1st December 1649, but were not instrumental in the rendition of the garrisons aforesaid, and have estates (above all reprizes) in lands to the clear yearly value of £400 and upwards, according to the value of the said lands in the year 1638, or in goods and chattels at this present to the value of £8000 and upwards, shall be liable to satisfy and pay such fine or fines as shall (by persons thereto authorised) be imposed on them within twelve months after 27th June 1654; and it is likewise further provided and ordained that all and every the person and persons who continued in arms against the forces of the Commonwealth of England or remained in obedience to the enemy after 1st December 1649, having estates in lands to the clear yearly value (above all reprizes) of £50 or upwards, according to the value the said lands were worth in 1638, or at present in goods and chattels to the value of £500 or upwards, should be and were thereby liable to satisfy and pay such fine or fines as should, by persons thereunto authorised, be set and imposed on them respectively within twelve months after the said 27th June aforesaid; and whereas no persons have been hitherto authorised to impose or set the said fines in pursuance of the aforesaid Ordinance, you are hereby empowered, with the advice of the Council there or any two or more of them, to impose and set on such of the English Protestants of or in the said Province of Munster, as by the said Ordinance are liable thereto such fine or fines¹⁷⁷ as

¹⁷² Lawrence to Scott, April 17, *Cal. S. P. Dom.* (1655), p. 129.

¹⁷³ *Ibid.*, p. 130. Approved April 23. ¹⁷⁴ *Ibid.*, p. 134.

¹⁷⁵ *Ibid.*, p. 136. Also on April 20 the Protector approved three orders, April 13-19, *ibid.*, p. 137.

¹⁷⁶ "Passed 27 June 1654. See Firth & Rait, ii, pp. 933-937." [note by Dunlop]

¹⁷⁷ "See Orders of Council of State to this effect, 5 and 18 April, *Cal. S. P. Ire.* (1647-60), pp. 809, 810." [note by Dunlop]

. . . you shall in your judgments find equal and agreeable to the true intent and meaning of the said Ordinance. . . . 20 April.¹⁷⁸

For the rest, the Protector seems to have been far less occupied than usual with routine affairs at this time. The continued delay in the French treaty caused much speculation. Bordeaux suggested that Cromwell aimed at being crowned, which would have forced France to acknowledge him;¹⁷⁹ and Mazarin's eagerness to close the negotiations was interpreted as a desire to be free to prosecute the war with Spain without fear of an English attack.¹⁸⁰ Meanwhile the English consul at Cadiz, James Wilson, reported the sinking of the "admirall of the South Sea, called the *Jesus and Mary*," near Cape Saint Ellene in October, as a result of which the Spanish king would probably have no army in the field in the coming summer, "neither in Flanders, nor Catalonia, which before this [had] been swallowed up by the French, had not your Highnesse fleet kept them from going to sea."¹⁸¹

Apart from a few inconsequential items like the apology of the senior fellows of Pembroke Hall, Cambridge, for encroaching on the Protector's rights in electing a new master,¹⁸² and a note to the effect that Colonel Marcus Trevor was to enjoy his estate in Ireland, Cromwell having taken the Colonel under his own protection,¹⁸³ the main business of the day was the prosecution of the insurgents. From Salisbury the judicial and legal authorities had moved on to Exeter, where the principal figures in the insurrection were to be tried. There two great questions arose to trouble the court. The first was that of law. The old Statute of Treasons was now extinct, the legal validity of the new Ordinance of Treasons was highly questionable. In accordance with the sixth provision of the *Instrument of Government* that no new law should be made without common consent in Parliament — a provision which even the Protector could not well overlook,¹⁸⁴ even though the Parliament he summoned under the *Instrument* had not confirmed its provisions — there seemed no authority for judicial proceedings such as these. The legal profession was so uncertain of the force of that Ordinance, in fact, that the government did not allow the question to be raised. It was argued with more common-sense that legal subtlety

¹⁷⁸ Dunlop, *Ireland under the Commonwealth*, ii, 503–504, from Commissions and Instructions Dublin P. R. O., A/27 25, ff. 55–6.

¹⁷⁹ Bordeaux to his father, April 16/26, Thurloe, iii, 381.

¹⁸⁰ Sagredo to Doge, April 24/May 4, *Cal. S. P. Ven.* (1655–6), p. 52.

¹⁸¹ Thurloe, iii, 389; cp. *ibid.*, p. 420 (Wright to Thurloe, May 1/11).

¹⁸² *Ibid.*, pp. 396–7.

¹⁸³ *Cal. S. P. Dom.* (1655), p. 141.

¹⁸⁴ Strickland to Thurloe, Thurloe, iii, 385.

that the word "king" in the old statute was to be interpreted as the head of the state, whatever title he held, and so some semblance of legality was given the proceedings. The second question at Exeter arose from the contention which had some basis in fact — or in misunderstanding — that the prisoners had surrendered at South Molton on terms of safety of life and property.¹⁸⁵ That, again, did not long delay the court, for there was, at least, no question of the fact of insurrection. Penruddock, Jones and Grove were among the first nine indicted; on the second indictment eight more were found guilty; on the third, nine more. In each group one was acquitted,¹⁸⁶ and eventually seven of the twenty-six were hanged, Penruddock and Grove beheaded,¹⁸⁷ though twenty-three of the twenty-six were condemned to death and thirty others were left in prison.¹⁸⁸ The discrepancy in the figures is doubtless due to the fact that not all of those indicted or condemned were actually in custody.

In any event the judges did not linger long in Exeter after their final session on Monday, April 23 at which the sentences were pronounced. Rolle had gone to London the previous Friday;¹⁸⁹ Glyn followed him on Monday;¹⁹⁰ and the rest of the court moved on to Chard on Tuesday to try the twenty-five prisoners held at Taunton and the two at Ilchester, of whom probably all were not brought before it.¹⁹¹ It is not easy to determine how many of these were found guilty. Some were acquitted; at least one of them managed to escape; and many of those against whom a verdict was found appealed to the Protector for pardon.¹⁹² Among these were Penruddock and Duke, whose families and friends used every means to save them, in the latter case not in vain.

In York the same difficulties confronted the government as at Exeter. There also the validity of the Ordinance of Treason was apparently called in question, according to Strickland.¹⁹³ Barons Thorpe, Justice Newdigate and Serjeant Hutton, appointed to preside over the trials, refused to serve on the ground that the assizes were not yet ended, and that the orders given on April 5 did not allow for the fifteen days' interval between summons and return, as required by law.¹⁹⁴ It was

¹⁸⁵ Croke's letter, South Molton, March 15, in *Merc. Pol.*, March 15-22.

¹⁸⁶ Thurloe, iii, 394-95; *Perf. Diurn.*, April 25, for lists of prisoners condemned (the various lists do not exactly agree).

¹⁸⁷ *Perf. Proc.*, April 18; cp. below, Cromwell's warrant to Copplestone. Heath, *Chronicle*, says eleven were hanged. Apparently he included those beheaded and Duke who was pardoned at the last moment.

¹⁸⁸ Prideaux to Thurloe, Apr. 23, quot. in *Wilts. Arch. Mag.*, xiv, 51.

¹⁸⁹ Same to same, Apr. 21, quot. in *ibid.*, xiii, 273.

¹⁹⁰ *Ibid.*

¹⁹¹ *Ibid.*

¹⁹² Cp. Thurloe, iii, 373-81. See also the Firth-Ravenhill controversy as quoted.

¹⁹³ Cp. Thurloe, iii, 373-81. See also Ravenhill's article.

¹⁹⁴ Thurloe, iii, 359, 373-74. Solicitor-General Ellys was apparently the person sent to confer with Thorpe, Newdigate and Hutton.

also urged that men could not be convicted on mere conversation without evidence of overt act or proof of treasonable intent. According to the story, Thorpe, Newdigate and Hutton, thus refusing to act, actually left York, were met by the Protector's messenger at Doncaster to persuade them to return; and on persisting in their refusal to act were put out of their places.¹⁹⁵ In any event the government failed to punish the northern conspirators. It had no better success elsewhere. From Liverpool, its governor, Colonel Ireland, reported that he had freed Colonel Robert Werden on £2,000 security; that Werden would appear before the Protector and Council; and that others were being examined and would be sent to London.¹⁹⁶ In Ireland, Colonel Eyres presented another problem by requesting to be allowed to go on bail with Colonel Venables while the Irish Council still owed him a trial and desired the Protector's decision in the matter.¹⁹⁷ The net result was apparently that less than thirty men were finally executed for the conspiracy and rising.¹⁹⁸

None the less the Protector and his followers pursued the matter of the conspiracy with unabated vigor. He ordered Commissioner Peter Pett to search all vessels for Rochester and other plotters, but Pett reported that this information only reached him as he was on his way to Whitehall, the letter, like two others within a month, having apparently miscarried.¹⁹⁹ Of the various informations which came to the Protector or to Thurloe few had any new significance.²⁰⁰ Hacker wrote about the plotters in Leicestershire;²⁰¹ Francis Windham denied that he had engaged to lead a party of horse against the troops at Taunton and petitioned to be freed from his Bristol prison,²⁰² but in the main the new information was of small importance, and it appeared that the government had got to the bottom of the plot — or as near as it was likely to get.

The Council nevertheless remained unusually active. Of its five meetings in the following week the Protector attended three,²⁰³ but the business was almost purely administrative. After the Commissioners of the Great Seal had been ordered to put into effect the ordinance for

¹⁹⁵ Cp. *Dict. Nat. Biog.*, "Thorpe," "Newdigate," and references there.

¹⁹⁶ For his examination on April 5 see Thurloe, iii, 348, and also *ibid.*, iii, 359.

¹⁹⁷ April 11, Thos. Herbert to Thurloe, *ibid.*, iii, 364.

¹⁹⁸ It should be noted, perhaps, that where Gardiner says the judges refused to act on account of a legal "technicality" (*Comm. and Prot.*, iii, 298), the *Dict. Nat. Biog.* ("Newdigate") says because they conceived war against the Protector did not come within the law of treason.

¹⁹⁹ Pett to Desborough, Chatham, April 16, *Cal. S. P. Dom.* (1655), p. 127.

²⁰⁰ Thurloe, iii, 391-9.

²⁰¹ *Ibid.*, p. 395.

²⁰² *Ibid.*, p. 397.

²⁰³ *Cal. S. P. Dom.* (1655), p. xxvi.

regulating the jurisdiction of the Court of Chancery,²⁰⁴ the Council advised the Protector to appoint six masters in Chancery, and further requested him to issue a proclamation for putting into effect the laws against Papists,²⁰⁵ both of which he did, the latter appearing on April 26.²⁰⁶ The rest of the business was chiefly routine — an order to Thurloe to take over a contract for managing the post-office from Manley, whose contract was about to expire,²⁰⁷ a warrant to Maidstone to pay bills of £6,106/17 for furnishing Whitehall and the Mews,²⁰⁸ and an order by Council and the Protector for Fleetwood to keep Ludlow in Ireland.²⁰⁹

While the trials were still going on under such difficult circumstances, besides issuing a pass to one William Dormer on April 25,²¹⁰ on the next day the Protector and Council ordered the Admiralty Commissioners to protect the west coast against the French men-of-war operating out of Brest, one of which had recently sunk an English ship near Dartmouth.²¹¹ The same day he referred to Whalley the claim of Colonel Alexander Blake for £33/9/10 for fourteen days' pay of soldiers engaged to prevent Royalist risings,²¹² and on the next day the Council advised the payment of £1,000 to Henry Cromwell for his expenses in going to Ireland — a sum which the Protector cut in half before approving it.²¹³ Meanwhile he wrote a brief but emphatic note to Colonel Coxe, long active in Hertfordshire affairs on the side of Parliament and sometime with Cromwell in Scotland,²¹⁴ a pass for Abraham de Mercado, M.D., with David Raphael de Mercado, his son, to go to the Barbados "where he has an order from his Highness to exercise his pro-

²⁰⁴ *Ibid.*, p. 137.

²⁰⁵ Thurloe, iii, 409; *Cal. S. P. Dom.* (1655), p. 144. Proclamation read and passed Apr. 24 (*ibid.*, pp. 139-40).

²⁰⁶ *Perf. Diurn.*, May 2.

²⁰⁷ *Cal. S. P. Dom.* (1655), pp. 138-9; approved by Cromwell May 3.

²⁰⁸ *Ibid.*, p. 139.

²⁰⁹ Dunlop, *Ireland under the Commonwealth*, ii, 504; cp. *Cal. S. P. Dom.* (1655), p. 139; and Fleetwood to Thurloe, April 25 and May 4, Thurloe, iii, 407, 421.

²¹⁰ *Cal. S. P. Dom.* (1655), p. 583. There is something odd about this. Other passes were issued to a William Dormer on Aug. 19, 1653 (*ibid.*, 1653-4, p. 433); and on July 26, 1654 (*ibid.*, 1654, p. 438) to William Dormer and wife, Frances, while this pass is for Dormer and wife Anna Maria. It is possible that this man — if he was the same in each case — was connected with the Royalist Robert Dormer, Earl of Carnarvon, who fell at Newbury in 1643.

²¹¹ Lawrence to Admiralty Committee, April 26 (*ibid.* (1655), p. 145).

²¹² *Ibid.*, p. 149 (from Peterborough).

²¹³ *Ibid.*, p. 146. Also dated April 27 is a petition from Thomas Clarke to the Protector, "with reference thereon, signed by the Protector, to Council, who referred it, 27 Feb., 1654-5, to counsel-at-law" (*ibid.*, p. 145).

²¹⁴ Cp. Firth-Davies, *Regimental History*, ii, 434-6, 441-2.

fession";²¹⁵ and a letter to Fleetwood in behalf of Patrick, Lord Coursey, which relieved the latter from at least a part of his disabilities:

For Colonel Alban Cox, in Hertfordshire

SIR,

Having occasion to speak with you upon some affairs relating to the public, I would have you, as soon as this comes to your hands, to repair up hither; and upon your coming, you shall be acquainted with the particular reasons of my sending for you.

Whitehall,
24 April, 1655

I rest, your loving friend,
OLIVER P.²¹⁶

For the Right Honourable the Lord Deputy of Ireland

SIR,

The enclosed petition of Patrick Lord Coursey having been represented to me some days since, I could not content myself with a bare reference of it to you, but thought myself obliged to recommend it to your particular care and consideration, being persuaded that upon enquiry into his demeanour and carriage during the rebellion and troubles in Ireland, you will find it to have been very much as it is represented by his petition, and therefore it would be very unequal that he should be put into the same condition with the worst of Irish, who hath differenced himself from them by his peaceable living, and frequent kindnesses to the English, which certainly was not the intention of the law which enjoins the transplantation, nor I believe is it your meaning so to execute it. Therefore I desire you to advise with the Council herein, and to give such speedy direction concerning him, that he do not suffer for want thereof. [It] being in my opinion a most unmerciful and ungodly thing to put him to such an extremity; wherefore I again must press you on his behalf, and rest,

Whitehall, 26th of
April, 1655.

Your loving father,
OLIVER P.²¹⁷

Into the activities in clearing up the recent conspiracy and settling the affairs of Ireland, foreign affairs intruded themselves. To Dunkirk the Protector sent the *Bristol* to escort Guillaume Bette, Marquis of Leda and governor of Dunkirk, who was coming to London as ambassador

²¹⁵ *Cal. S. P. Dom.* (1655), p. 583. Cromwell's warrant for this pass dated April 20 (*Rev. des Études Juives*, ix, 137).

²¹⁶ Lomas-Carlyle, App. 28, from *Gentleman's Magazine*, lviii, 379 (1788). According to Firth-Davies, *Regimental History*, ii, 436, quoting "Calendar, 1651, p. 125," Cox (or Coxe) was not then in command of his regiment, but to him on 4 Feb., 1657, Cromwell wrote to explain his dissolution of Parliament and to warn him against Royalist plotters.

²¹⁷ Lomas-Carlyle, Suppl. 103, from *Letters from the Lord Protector*, A/28, p. 55, P. R. O. Dublin. Copy in *Rawl. MSS.*, A261, f. 41. Patrick, Lord Coursey, Duke of Kinsale, by order of the Council of May 19, 1655, was allowed to keep his inheritance and was granted a pension of £150 per annum. (*Complete Peerage*, vii, 286).

extraordinary from the King of Spain.²¹⁸ He was reported to have chosen some one — possibly Dr. Thomas Bayly — to go to Rome secretly to report on the character, ideas and plans of the newly-chosen Pope.²¹⁹ Whether his emissary was Bayly or not, the English resident Longland reported Bayly's arrival in Florence in July,²²⁰ and in December another of Thurloe's correspondents, Metham, complained of Bayly's indiscretions which had betrayed the whole secret.²²¹ From Monk came a suggestion for clemency for the Earl of Callander;²²² from the Dutch East India Company a letter in regard to Anglo-Dutch affairs in the East;²²³ and about this time — if not earlier — he sent instructions to Blake:

Instructions to Blake

[Substance only]

To come into Cadiz Bay with the fleet. Notice that three months' supply of provisions were being prepared to be sent to him.²²⁴

It is difficult to trace the sequence of events and the instructions which, for the most part secret, seem not to have been preserved in this peculiarly intricate and subterranean maneuver against the Spanish power. On the one hand diplomatic relations were maintained, as the courtesy shown the Spanish ambassador indicates. On the other hand, the despatch of the fleets of Blake and Penn were a threat to peaceful relations which could not but be obvious to Spain, and the provisions were sent, it was suggested, because the ports of Spain would soon be closed to the English fleet. Yet it was by no means wholly certain that the English forces would be directed entirely against Spain. In view of the strained relations between England and France as evidenced by incidents like the one recently reported off Dartmouth, the dangers to which the English Greenland fleet was exposed, and the attack by the English and New Englanders on Acadia, — to say nothing of Guise's expedition against Naples — there was still a possibility that the English forces might be diverted against France. That possibility the Spanish

²¹⁸ Paulucci to Sagredo, April 27/May 7, *Cal. S. P. Ven.* (1655-6), p. 53. Cp. also *Cal. S. P. Dom.* (1655), p. 469.

²¹⁹ Paulucci to Sagredo, *Cal. S. P. Ven.* (1655-6), p. 53, and note on p. 84.

²²⁰ Thurloe, iii, 635.

²²¹ *Ibid.*, iv, 243.

²²² *Ibid.*, p. 415.

²²³ *Ibid.*, iii, 411.

²²⁴ Mentioned in Cromwell's letter to Blake, June 13, in Thurloe, iii, 547. About the beginning of April Cromwell apparently sent secret instructions to Blake to intercept the Plate fleet, which are mentioned in the letter of June 13 and in Blake's answer of June 12. Powell, *Blake*, p. 275, says the *Sea-venture* ketch brought a letter dated April 2 informing Blake of a three months' supply of provisions and probably containing secret instructions, referring him to a "former instruction touching the Plate fleet coming from America" (which had not arrived). See *ibid.*, pp. 296-7.

government could not ignore, and it was partly on that account, as well as because it was in no position to threaten England, that it maintained the outward show of friendly relations. It was at war with Louis XIV, and if by any sudden shift in affairs it might gain Cromwell's support in that conflict it was worth while to overlook these insults and injuries, which in any event it was in no position to resent. Nor was France in much better case, for an invasion of England was out of the question, even with the aid of a Royalist rising, in view of the forces at the Protector's disposal, and Louis XIV, like Philip IV, endured as best he could and with whatever form of retaliation there was at his command, the continual friction of Anglo-French hostility. It was evident that such a situation could not last indefinitely, but while it endured it worked to the advantage of the Protector, safe at home and a threat abroad, his purposes — save for his own supremacy — equally inscrutable in each case. Finally on the last day of April he addressed another letter to Philip IV and a covering communication to the Spanish ambassador, Cardenas, on the perennial subject of dispute, the money owed to the late Sir Peter Richaut, and now to his sons, by the Spanish government, which, among other things of perhaps more importance, had long been a bone of contention between the two governments:

To Philip IV

Most Serene King,

The Sons and Heirs of Peter Richaut, deceased, Knight of the Golden Fleece, have presented to us several petitions regarding a certain sum of money not so long ago due from your Majesty to their father, now to them. In these petitions they have made urgent complaint of the long-continued delay and of the many postponements they have suffered from in seeking the payment of the said debt, even to the damage and ruin of their family property. And yet this same debt was so unquestioned that, through the President and Council of your Majesty on the 25th of June 1647, it was held valid by their award, and also, through the same award within nine days after its publication, your Royal Treasury funds were levied upon for effectually bringing about payment to the same Peter Richaut. And, although your Majesty in his royal accounts over his own signature, given from his Court on the 12th of April 1652, acknowledged the aforesaid debt; and, in consideration of divers sums of money given as loans for the use of your Majesty by Peter personally to your Envoys at that time resident here in England; and in consideration of a certain ship laden with fish and belonging to the same Peter having been unjustly taken away from him and sold at Cartagena for the benefit of your Majesty; Orders were to be given to your officials that by assignments and other effective methods payment be made to the same Peter as soon as possible; which has never been done, although repeated applications were made, and a large sum of money was spent on expediting this transaction. The money actually due, as is stated to us, and will be clear more fully from the accounts (after deducting four thousand ducats of the coinage of Cyprus, paid to Walter Ashton by the consent

and order of the son of Peter himself as part of the aforesaid debt) amounted as a total to 25,369,035 Maravedis silver, in English money 20,987 pounds sterling 12 shillings and 9 pence, not including interest for the non-payment of the same from the 12th of April 1652 to the present time. Wherefore, now that the aforesaid Peter Richaut is deceased, his sons and heirs, since they had no appeal or better recourse at your Treasury for this debt, applied to us by way of petition for an extraordinary remedy, namely, reprisals to be granted in a case so just and clear. We moreover, not only out of regard for better information about the premises, but out of our kindly affection for your Majesty, gave at various times our letters about the case to Don Alonso de Cardenas the Envoy of your Majesty in residence with us; Since, however, your aforesaid legate, although in his response he said he was willing to put this case before your Majesty, along with our requests, nevertheless in his replies subjoined his reasonings by which he held that those sons and heirs should be restricted to the ordinary remedy, and that reprisals should by no means be allowed. Whereupon We, not wishing anything except what was congruent to the Law of Nations and reason, turned over this whole subject to be discussed in our Council and, having called together the Judges of our Admiralty Court and other learned men of the law, versed in the Law of Nations and the Civil Law; and having examined the said accounts signed with the royal sign-manual of your Majesty, and having heard the pleas on both sides, and after deliberate consideration was given on all points, it was decided and replied by our said council that the reprisals (on account of the failure of the ordinary judicial process) could and should be granted justly and according to the Law of Nations, in an action so clearly adjudicated and signed by your Majesty's self; but only if, after due application made to your Majesty, payment or satisfaction were not provided. We therefore inform your Majesty concerning all and each of the premises, and in the most kindly way and in the spirit of friendship we ask that at the earliest possible moment, certainly within three months after the delivery of these presents, your Majesty deign to pay the aforesaid debt and effectually give satisfaction for the aforesaid debt to the sons and heirs or else to their agent properly qualified for this negotiation. Thus it is that you will perform a deed, complete in Justice, and worthy of your Majesty, and satisfactory to the parties concerned, and highly pleasing to us. But if (and may this not occur!) within the same three months after the delivery of these presents such satisfaction be not made to these same heirs, We, in accordance with the aforesaid decision of our Council, purpose to proceed as of Right to the granting of reprisals in the appropriate manner, on account of the denial of Justice in the premises. In all else we commend your Majesty to the protection of the divine Grace.

Given from our Court at Westminster the thirtieth of April in the year
1655.

Your Majesty's good friend,
OLIVER P.²²⁵

²²⁵ Trans. of copy in *Raccol. MSS.*, A 261, ff. 42-43, pr. in App. II (33). An Italian copy of the Latin original was sent to the Doge and Senate of Venice by Giacomo Quirini, the Venetian ambassador in Spain. Quirini says in his letter of Aug. 11/21 that Cromwell's letter had been presented a fortnight before. This Italian copy is now, apparently, in the Venetian archives (*Cal. S. P. Ven.* (1655-

*For his Excellency Don Alonso de Cárdenas ordinary
Ambassador from the King of Spain*

MY LORD,

The enclosed petition of the sons of Sir Peter Richaut deceased being presented to us, and having received a certain accompt of the state of the debt therein mentioned to be due to the Petitioners from the King of Spain, and of the several transactions which have been about it as well in the last Council of State as formerly by which it is evident (and so was admitted by those who appeared on the behalf of the King of Spain) That the said debt was justly due and ought to have been paid long since to the said Peter Richaut, And that the last Council of State who freed the wools belonging to the said King from the arrest which the petitioners had laid upon them for the said debt were fully satisfied of the justness of the demand made by the petitioners, although they thought not fit that they should take their relief in that way. We held ourself obliged in justice to the petitioners to send unto you their petition, together with our recommendation on their behalf, to the end that considering the justice of their case the long delays and great expenses they have been put unto both here and abroad for the recovery of the aforesaid debt, even to the utter ruin of their whole family, you may according to your wonted wisdom and prudence apply some effectual means for the speedy relief of the petitioners that they may have no farther occasion to importune us (as they do) for our interposition by extraordinary ways, which we and this government are and have been most averse from, where justice may be obtained in the ordinary course, as we do with confidence expect it will be in this case from the King of Spain, and that your serious endeavours will not be wanting herein, both out of your love to justice, and for the further increasing of the good intelligence between the two nations.

[April 30 1655]

OLIVER P.²²⁶

By the end of April much of the excitement caused by the insurrection had subsided, though examinations were still held, as was evidenced by the Protector's order to the mayor of Reading:

To our trusty and beloved Mayor of Reading

OLIVER P.

Whereas we are informed that there are some suspicious persons now in your custody, you are upon sight to deliver to the bearer hereof the said persons whom we have authorized to bring them up hither. You are also to send up such examinations as you have taken concerning them. And hereof you are not to fail. And for which this shall be your warrant.

Given at Whitehall this 30th April 1655.²²⁷

6), p. 96). Cp. also *supra* for the letter of July 4/14, 1654. Cromwell also signed a pass for Richaut, addressed to all naval officers, on March 20, 1653-4, a copy of which is in *Rawl. MSS.*, A 328, f. 11. See above on that date.

²²⁸ Copy in *Rawl. MSS.*, A 261, ff. 41v-42. See July 4, 1654 and Jan. 3, 1654-5.

²²⁹ In Reading Corporation MSS. vol. liv, "Autographs," communicated by C. S. Johnson, Esq., Town Clerk. Cal. in *Hist. MSS. Comm. Rept.* 11, App. vii, p. 221.

Despite the decline of interest in the recent plot, the first week of May, 1655, saw much activity on the part of the Council which held four meetings at each of which the Protector was present.²²⁸ Thorpe and Newdigate were summoned before it for their recent failure to meet the Protector's wishes in regard to the trial of the northern conspirators and were presently dismissed from their offices.²²⁹ The Commissioners of the Great Seal were ordered to proceed with the business of the High Court of Chancery until the Court itself was settled, but they refused, though "very unhappy not to satisfy his Highness," who lost no time in appointing new Masters in Chancery:

*To our right trusty, and right well beloved Sir Bulstrode Whitelocke Knight,
Sir Thomas Widdrington Knight, and John Lisle, Esq; Lords Commis-
sioners of the Great Seal of England.*

Oliver Protector,

Right trusty, and right well-beloved, We greet you well, Whereas by an Ordinance entitled, *An Ordinance for the better regulating, and limiting the Jurisdiction of the High Court of Chancery*, It is among other things ordained, that the Masters of the Chancery in ordinary, shall be only six in Number, to be now and from time to time appointed by the Lord Protector for the time being, We according to the said Ordinance do appoint William Lenthal, Esq., Master of the Rolls, John Sadler, Nathanael Hubart, Arthur Barnardiston, Thomas St. Nicholas, and Robert Aldworth, esqs; to be the Six Masters of the Chancery in ordinary; and do hereby signify unto you our Pleasure, that they be sworn and admitted accordingly; given at Whitehall this second Day of May, 1655.²³⁰

Finally, on the next day, April 3, every effort having been made to save the lives of the Penruddock insurgents, he signed the warrant for their execution,²³¹ excepting from it only one, apparently Robert Duke:

Warrant to John Coppleston

OLIVER P.

Whereas John Penruddock, Hugh Grove, Richard Reeves, Edward Davy, Thomas Poulton, Edward Willis, Thomas Hillard, John Haynes, James Horington *alias* Huish, and John Giles *alias* Hobbs, were indicted, convicted and attainted of high Treason at a Commission of Oyer and Terminer and Gaol deliverie, lately held at Exeter in our countie of Devon and have received sentence to be executed as Traytors. Wee have thought fit, and our will and

²²⁸ *Cal. S. P. Dom.* (1655), p. xxvi.

²²⁹ Whitelocke, p. 625; *Perf. Diurn.*, May 4; *Merc. Pol.*, May 3. The result of their contumacy, according to Nicholas (Nicholas to Jane, Sept. 7/17, *Cal. S. P. Dom.*, 1655, p. 325) was that the prisoners were merely fined because of the delay of the other judges in reaching York.

²³⁰ Whitelocke, p. 625. Order in *Cal. S. P. Dom.* (1655), p. 148; Refusal to proceed with Chancery business (*ibid.*, p. 152).

²³¹ Cp. *The Triall of . . . Penruddock . . . and his speeches*, May 16, 1655; and *The Speech of . . . Grove . . . on Munday last*, [May 7], 1655.

pleasure is, that the said John Penruddock, and Hugh Grove, instead of ~~being~~ hanged by ye neck, be put to death by severing their heads from their Bodyes, and that the said Richard Reeves, Edward Davy, Thomas Poulton, Edward Willis, Thomas Hillard, John Haynes, James Horsington, and John Giles be onely hanged by the neck till they are dead. And that you forbeare all other and further corporall Payne and execution of the bodies of the persons aforesaid. And for soe doing this shalbe your Warrant. Given at Whitehall the 3rd of May 1655.

To John Coppleston Esqr. High Sheriff
of our Countie of Devon, or his Deputie.²³²

With this grim order the Penruddock incident was closed. Brief and futile as it was, it had one important result. It had demonstrated the superiority of force over sentiment in the conduct of affairs and the impossibility of overthrowing the Protector by such means as these in the face of the numbers and discipline of the troops under his command. In consequence the attempts to break his hold on the country thereafter took the form of plots for his assassination. It was felt that only his removal provided any opportunity for the re-establishment of parliamentary monarchy to which the great majority of Englishmen at heart owed their allegiance. Against that sentiment he spent the rest of his life in conflict, nor was it conceivable that the substitution of the house of Cromwell for the house of Stuart could solve that problem. That he realized the situation there can be but little doubt, and the five years of his Protectorate were, in effect, only the measure of the dominance of his determination and ability over the national will. If the year 1655 "marked the nadir of the Royalist cause," by that same token it marked the height of the Cromwellian ascendancy. Thenceforth, with all of his authority, with all of his successes in foreign fields, with his recognition by European sovereigns, and the place he secured for his country in European councils, he fought a losing fight against the inchoate but enduring desire of the people for a King and a Parliament. The best he could do was to put off what he must have regarded as that evil day as long as possible.

²³² Facsimile and copy in *Wilt. Arch. and Nat. Hist. Mag.*, xiv, 66-7. It seems from this that Duke's application through his sister for a pardon had been granted at the last moment as the erasures seem to be of his name. The explanation of Sir R. C. Hoare (*Hist. of Wiltshire*, iv, pt. i, 236) is that there were two copies extant. In one of them the name of *Robert* Duke was inserted and then erased because of a misnomer; it was *John* Duke who was implicated and thus escaped.

CHAPTER XV

THE PIEDMONT MASSACRES

MAY-JUNE, 1655

With the suppression of the Penruddock rising for the moment the Protector seemed secure. But the circumstances of the trials brought into high relief one of the greatest problems of his government — the reconciliation of the law and the constitution with the fact that he held his position neither by law nor by constitution in the old sense, but by force. With all of the actual authority he possessed, he had found it difficult or impossible to persuade or compel the greater part of the legal profession to recognize his right to rule. Among the many difficulties with which he had to contend, this stubborn adherence to old legal forms and spirit was one of the most deep-rooted and persistent. He could and did find lawyers who would submit to his direction, but many would not, and they were supported, in the main, by the profession as a whole, and while in by far the larger part of legal affairs the constitutional question did not arise, while most civil and criminal business went on as before, there were times and occasions when it was found impossible to reconcile the legal theory with the political fact. He was careful to follow the old forms in so far as consisted with his position, to secure able men as judges, to make as few changes in ordinary legal proceedings as possible, and to conciliate the legal fraternity in so far as might be done. He was eager to reform procedure, to moderate the zeal of the more violent revolutionaries, especially in the matter of Chancery jurisdiction, and he had a few able lawyers on his side, but even those found limits beyond which their consciences would not let them go. Thus the profession which had played such a leading part in the events which led up to the civil wars found it often difficult or impossible to reconcile the ancient law and custom of monarchy with military dictatorship, or to find any bridge to cross the gulf, and of this the trials at this moment were an example.

In other directions he was more fortunate, thanks to his control of the army and to one other element. Few rulers have ever paid as much attention to even the minutest details of administration, and by far the greater part of his time and energy was spent on matters which seem beneath the notice of the hero of Puritanism and the champion of Protestantism. As his military successes had rested in no small measure on his attention to army administration, so, contrary to a general im-

pression, he excelled in close attention to the details of the administrative system. Of this there were at this moment various instances. Doubtless at his suggestion the Admiralty Commissioners issued a warrant to the ordnance officers to deliver to Colonel Worsley a barrel of powder monthly for the use of the Protector's regiment, and that ten barrels additional be kept at St. James's for the use of that regiment — and incidentally for the protection of the General.¹ On May 2 the Protector suggested — or ordered — that various steps be taken to make up the accounts for the forces in Scotland and Ireland.² Two days later the Council made nine recommendations for the Council in Scotland,³ and on the same day the Protector issued a proclamation to enforce an order of 28 Henry VIII in regard to the price of wine, which — probably as the result of the strained relations with France and Spain — had "lately risen excessively."⁴ These apparently trifling matters, in fact, were sandwiched in between great concerns in domestic and foreign politics which in the weeks following the Penruddock affair pressed on him more and more heavily.

Among them one was conspicuous. In these very days rumors began to reach London⁵ of a massacre of Protestants, so-called Vaudois or Waldenses from their 12th century founder, Waldo, then under the rule of the Duke of Savoy, and to that, among other things, the Protector naturally turned his attention, in his role of Protestant champion. It was alleged by the defenders of the massacre that it was due to the murder of a Vaudois minister who had turned priest, but it was more probable that it was owing to the efforts made to limit the extension of the toleration earlier permitted them to the four mountain districts originally allotted them, from which they had spread into nine other communities. To this they had perforce agreed but petitioned the Savoy government against such restrictions, though to no avail, and in mid-April the order was enforced by troops under the Marquis of Pianezza, culminating in a massacre later in the month, perpetrated by soldiers in French pay, including some Irish. Its details were enormously exaggerated by the time the story reached England, but it appears that some two or three hundred of the Vaudois were killed in this endeavor to remove them to the territories allotted to them. It was apparently on

¹ *Cal. S. P. Dom. (1655)*, p. 148.

² *Ibid.*, p. 200. See below under June 5 for the Council action in the matter.

³ Thurloe, iii, 423; "approved by his Highness in person, May 4, 1655," *Cal. S. P. Dom. (1655)*, p. 152; list *supra* with instructions. In addition a warrant was issued in favor of Lieut. Richard Palmer who had lost both eyes in Ireland (*Cal. S. P. Dom. (1655)*, pp. 151-2). On May 3 the Protector approved seven orders of April 18-27 (*ibid.*, p. 150).

⁴ *Council Order Book*, I, 76A, p. 83; cal. in *Cal. S. P. Dom. (1655)*, p. 151.

⁵ On May 6 there appeared *A Sermon against Murder . . . [in] Savoy*. By W. Towers, which seems to indicate that the news had arrived there somewhat earlier.

the arrival of this news in London that Morland was despatched by Cromwell to collaborate with Pell, who was then in Switzerland, and to investigate the whole matter. While the news was broadcast throughout England, therefore, Morland arrived in Turin to be advised by the French resident there, Servien, to "endeavour to satisfie and appease his Highness the Lord Protector by a sweet and moderate Relation of all those Proceedings," and he was visited by Jesuits and other ecclesiastics, who, according to Morland's story, endeavored to make him believe the reports of the persecution were groundless.⁶ It appeared, however, to the English envoy that "little comfort can accrue to our afflicted brethren through the pretence of mediation," because of the close understanding between the Duke of Savoy and the King of France, and as Morland's letters began to come through to the Protector in the ensuing months it seemed inevitable that some pressure must be put not only on the Duke of Savoy but upon Louis XIV and his minister, Mazarin, if the persecution were to be checked. Thus among other lesser matters of foreign concernment there arose this great question which was to enable the Protector to stand out as the champion of Protestantism not only against Spain but against France and Savoy. It was a challenge as well as an opportunity, and while he continued his negotiations in other directions, he embraced it as both.

On the same day that the Protector had written to Philip IV and Cardenas, the latter wrote to take his leave before going to Flanders, and meanwhile in Madrid the Council was ordered by the King to read the Protector's letter in regard to Wright's demands and come to some decision in regard to it.⁷ Cardenas' colleague, the Marquis of Leda, arrived at Dover on May 1,⁸ and on the following Saturday, May 5, was brought from Greenwich to Tower Wharf in a barge, thence by coach to Westminster, accompanied by "many persons of honor & at least 40 coaches." He was lodged in Sir Abraham Williams' house but was not received by the Protector who on Friday had gone to Hampton Court to join his wife and most of his family.⁹ Before that, various little matters had arisen to trouble him. Nieupoort had written to ask enforcement of the decree to free the Edam ship;¹⁰ de Bye appealed to Thurloe

⁶ S. Morland, *History of the Evangelical Churches of . . . Piedmont* (1658), p. 579.

⁷ Thurloe, iii, 415-16.

⁸ *Perf. Diurn.*, May 2. With him were Count Tot, commissioned to compliment the Protector in the name of the Queen of Sweden, and the Marquis of San Stefano to represent on Condé's behalf how favorable a moment it was to attack France. (Sagredo to Doge, May 8/18, *Cal. S. P. Ven.* (1655-6), p. 56.)

⁹ *Perf. Diurn.*, May 5.

¹⁰ May 1/11, Thurloe, iii, 419, cp. *supra*. Another remonstrance came from James, Duke of Courland, against holding a Courland ship at Bristol where it had been driven by storm and lack of supplies (Thurloe, iii, 410).

to expedite his mission in England; ¹¹ Fleetwood asked for power to nominate a Lord Chancellor or Commissioners of Chancery in Ireland; ¹² the Protector ordered Thurloe to draw up a letter to Fleetwood requiring him not to effect the transplantation of the eight children of the Catholic leader, Viscount Netterville, from the remaining fifth of his estate; ¹³ and just before he went to Hampton Court, on May 4, the Protector gave an audience to Schaum, the envoy of the Prince of Transylvania, who had come to plead the cause of the Poles.¹⁴ Besides this, in this busy week, he wrote to the authorities of the Company of Grocers in London, and to Governor Searle of Barbados:

*To our Loving friends the Mr. Wardens and Assistants of the
Company of Grocers of London*

Gentlemen:

Understanding that the Committee of Claims for Lands in Ireland, who by an order of the late Council of State, and by a subsequent Act of Parliament were appointed to sit in Grocers Hall for the executing of those things which by the aforesaid authority, they are impowered and required to do, are by some late order of yours shut out of the rooms of the said Hall, and not suffered to make use thereof for the purpose aforesaid, but that on the contrary their books and papers are detained from them, whereby their proceedings are wholly obstructed to the great prejudice of the public affairs, and particularly what concerns the planting of Ireland, and therefore we have thought it fit to let you know the great necessity there is that the former order of the late Parliament and Council for the sitting of the Committee in Grocers Hall be observed and that they be permitted to make use of the rooms there as formerly, and doubt not but you will readily conform, and give obedience thereunto and so we bid you farewell and rest.

Whitehall,
8^o May 1655.

Your loving friend
OLIVER P.¹⁵

*To Our trusty and welbeloved Daniell Searle, Esquire,
Governor of Our Island of Barbados*

Trusty and welbeloved we greet you well:

A complaint hath been exhibited to us by the petition of Samuel Waad gentleman against Robert Osborne Governor of our Island of Monserrat about the trial and condemnation of one Samuel Waad of that island by the said governor and a Council of Martial officers, and the shooting of him to death in

¹¹ May 2 (*ibid.*, p. 421).

¹² Fleetwood to Thurloe, May 2, *ibid.*, p. 421.

¹³ Countess of Ranelagh to Thurloe, May 2 (*ibid.*). Netterville had been one of the most active men in the Catholic party, but he had married the daughter of the Earl of Portland, and though deprived of all his estates in 1652, in April 1653 she was allowed a fifth of their profits and in May confirmed in possession of Dowth and Proudfootsdown. (*Complete Peerage*, ix, 473.)

¹⁴ Thurloe, iii, 422-23; Paulucci to Sagredo, April 27/May 7 (*Cal. S. P. Ven.*, 1655-6, p. 54).

¹⁵ Rawl. MSS., A261, ff. 43-43v.

pursuance of the sentence, which complaint having been referred by us to our Council several examinations of witnesses were taken before them on the part of the petitioner, a copy whereof as also of the original petition and a remonstrance annexed We have thought fit herewith to send unto you, and do hereby authorize and require you with your most speedy opportunity to make or cause to be made a serious and thorough examination of the manner and grounds of the said proceedings and of all circumstances referring to the said Samuel Waad's death. And in order to the true stating of this matter to send for the said Governor to the Barbadoes if you shall see cause and such witnesses on both parts as you shall find best able to give testimony concerning the truth of fact (taking care of the said Island's safety in the Governor's absence, in case you shall think fit to send for him as aforesaid). And after full examination of the fact to state the same and make return thereof to us. This matter being of much importance we shall expect your utmost care and diligence in the premisses, that if the Governor's proceedings shall appear regular and justifiable he may stand clear in our opinion if other wise we may take further order herein according to justice. Given at Whitehall, the 8 of May, 1655.¹⁶

Schaum — whose expenses had been paid by the London Comenius societies — was well received. He had his first audience on May 4, though not until May 24 did he hand over in writing the "Punktuationes," or articles of union of the Protestant princes which had been given him. The Protector's answer was, it was said, "sincere," and he assured the envoy that the Protestant cause was very close to him. That was true enough, but it seems difficult at this time and distance to perceive what Schaum's masters could have hoped, practically, from such a mission, or how the Protector could have been of much use to them. This extraordinary incident, however, has some importance. It reveals how far and how strongly the Cromwellian influence had spread throughout the Continent, and how many hopes it had raised in even the most distant powers like Poland, Brandenburg, and now Hungary, of aid of some sort from the English Protestant revolutionary government.¹⁷

When the Protector returned from his week-end at Hampton Court on Monday, May 7,¹⁸ he plunged at once into a whirl of diplomatic activity with which the ensuing week was filled. The French ambassador was again waiting to take his leave,¹⁹ and the threat of his departure

¹⁶ *Ibid.*, ff. 43-44.

¹⁷ Alex. Szilágyi, "Siebenbürgen u. der Krieg in Nordosten," in *Ungarische Revue*, 1892, p. 635.

¹⁸ *Perf. Diurn.*, May 5, says Cromwell to return on May 7.

¹⁹ *Clarke Papers*, iii, 38 (Bordeaux took leave of Cromwell on May 7). There is some minor discrepancy in dates. This source says "that [yesterday, i. e. May 7] the French treaty revived. The Lord Protector hath accompanied her Highnesse to Hampton . . ." *Ibid.*, p. 39, it records "Friday sennight [May 11] his Highnes went to Hampton Court . . ." Thurloe told Bordeaux that Cromwell had considered and taken some resolution on Bordeaux's affairs on Friday [May 11], Thurloe, iii, 437.

this time produced the desired result, for though, as he wrote, he had "never had any word as positive as before,"²⁰ he was now advised that the commissioners had been ordered to draw up a treaty with him.²¹ In fact, as he went on to say, "if one may judge of it by the discourse of the ministers, and likewise of the Lord Protector himself, one might consider the treaty as good as concluded, and ready to be signed."²² That was still far from the case, but matters were certainly coming to a head. The new Spanish ambassador extraordinary, the Marquis de Leda, was granted two audiences. At the first, on May 8, he merely presented his compliments;²³ at the second, on May 11, he declared that Spain could never accede to Cromwell's demands as to the Inquisition or free trade with the Indies. On the other hand he endeavored to enlist the Protector's aid against France, "engaging" that Spanish troops would assist the English to recover Calais in return for English help in securing Bordeaux for Condé.²⁴ According to Paulucci, however, Leda was "far from hopeful of receiving a satisfactory reply to his proposals; indeed since his second audience he has shown more and more evident signs of how little he got from the Protector."²⁵ Had he known of Cromwell's instructions to Blake issued about this time, to intercept the Spanish silver fleet,²⁶ he might have been even more disturbed and even more suspicious of the Protector's good faith. As it was, the situation had produced repercussions far beyond the conversations between the Protector and the ambassadors. The Pope was said to have appealed to France and Spain to make peace with one another rather than deal with the Protector;²⁷ and it appears that the Spanish representatives had presented a formal memorandum to the English ruler in regard to the question of Dunkirk.²⁸ Nor were these all the diplomatic events of that important week. While French and Spanish envoys were contending for English favor, the representatives of Sweden and Holland, Coyet and Nieupoort, were equally busy seeking like consideration. Nieupoort was endeavoring to convince the Council of the folly of allowing Sweden

²⁰ Bordeaux to Mazarin, May 17/27, *Fr. Tr. R. O.*

²¹ Same to Brienne, *ibid.*

²² Same to his father, May 14/24, Thurloe, iii, 437.

²³ *Clarke Papers*, iii, 39; *Perf. Diurn.*, May 8; cp. *Cal. S. P. Dom.* (1655),

p. 151.

²⁴ *Perf. Diurn.*, May 11; Bordeaux to his father, May 14/24, Thurloe, iii, 437.

²⁵ Paulucci to Sagredo, May 26/June 5, *Cal. S. P. Ven.* (1655-6), p. 63.

²⁶ Blake to Cromwell, June 12, Thurloe, iii, 541 and Powell, *Blake*, p. 298.

Cp. *Cal. S. P. Ven.* (1655-6), p. 57 (barque at Cadiz with despatches to Blake).

²⁷ Intelligence from Rome, May 14/24, Thurloe, iii, 436.

²⁸ Papel presentado al Sermo Protector in *Remarques sur la reddition de Dunkerque*, p. 5 (ascribed to Hugues de Llonne); (same as?) *Memoire presente a Olivier Cromwel Protecteur d'Angleterre, par Marquis de Leyde & par D. Alonso de Cardenas Ambassadeurs de Philippe IV . . . in Recueil des Traitez de Paix*, iii, 674-75; *Perf. Diurn.*, May 17.

to become too strong,²⁹ and Coyet was no less active in his efforts to persuade the English authorities of the desirability of an Anglo-Swedish agreement. Thurloe revealed in conversation that before any agreement could be reached with Coyet, Rolt might be sent to Sweden to study the situation, ostensibly in regard to ratification of the pending treaty with that power.³⁰ At the moment Nieupoort's star seemed in the ascendant, but though he signed on May 9 the convention required by the thirtieth article of the Anglo-Dutch treaty, on that same day the Protector ordered the Commissioners of the Great Seal to receive and hold in escrow an acquittance for the island of Pularoon and the sum of £85,000 until the treaty was sealed, signed and delivered:

Convention between Oliver Cromwell, Protector of England, and the High and Mighty States General of the United Netherlands, for constituting a Congress at Amsterdam, of Commissioners to be nominated on both sides, for determining all the remaining Complaints without Limitation, in the Award and Arbitration pass'd the 30th of August 1645 [sic!], upon their Controversys.

Whereas by the 30th Article of the late Treaty, between the most Serene Lord Protector of the Republick of *England, Scotland, and Ireland*, and the High and Mighty Lords the States General of the *United Netherlands*, it was agreed that Commissioners or Arbitrators should be nominated and appointed, with full and absolute Power and Authority, to examine and determine all those Losses and Injurys which the one Party laid to the Charge of the other, from the Year 1611, to the 18th of *May* 1652 O.S. and which each Party ought to have exhibited before the 18th of *May* 1654. Which said Day nevertheless, by consent of both Partys, was put off till the 30th day of the said Month; and if the said Commissioners did not agree concerning the said Losses and Injurys within three Months after that day, the said Complaints shou'd be referr'd to the Protestant Cantons of *Swisserland*, who shou'd be desir'd to nominate and appoint Commissioners for examining and determining the foresaid Complaints, within six Months after the expiration of the former three.

And wheras the Commissioners of both Republicks assembled at *London*, and receiv'd sundry Complaints to them deliver'd within the time aforesaid, and examin'd and determin'd some, as express'd in the Award and Arbitration of the aforesaid Commissioners, publish'd under their Hands and Seals the 30th of Aug. 1654.O.S. And wheras several yet remain undetermin'd, which according to the 30th Article aforesaid ought to have been referr'd to the abovemention'd Protestant Cantons of *Swisserland*, in order for Decision by certain Commissioners to be by them nominated and appointed; which Nomination and Appointment was not made by them within the Term of six Months aforesaid, and yet it is necessary that the said Complaints shou'd be decided, and all private Grudges remov'd, and that every Shadow of Discord may be for the future taken away:

"Tis therefore agreed and concluded between the most Serene Lord Pro-

²⁹ Nieupoort to States General, May 10, *Add. MSS.*, 17677, LLL, f. 208; same to de Witt, June 8/18, De Witt, *Brieven*, iii, 71.

³⁰ Nieupoort to States General, May 10/20, *Add. MSS.*, 17677, LLL, f. 208.

tector, and the High and Mighty Lords the States General, that all Complaints exhibited within the Time aforesaid, *viz.* the 30th of *May* 1654, and not included and determin'd in the abovemention'd Award and Arbitration, shall be referr'd and submitted to the Judgment and Determination of the aforesaid Commissioners, who publish'd the said Award and Arbitration, or of others who shall be nominated and constituted on both sides; and that they shall meet again at *Amsterdam* in *Holland*, furnish'd and invested with the same full Power and Authority as before; and that they shall proceed in the same Order and Manner, and with the same Method, and consequently determine all the Complaints aforesaid within three Months after their first Congress, which shall be on the 26th of *July* 1655. And that publick Notice thereof shall be given to the People of both Republicks, and that all things which the aforesaid Commissioners shall determine within the three Months aforesaid shall bind both Partys. In Witness of all and singular the Premises, both we the Commissioners of his Highness, and I the Ambassador Extraordinary of the *United Provinces* of the *Netherlands*, have sign'd these Presents with our Hands, and seal'd them with our Seals. Done at *Westminster*, *May* 9, O.S. *Anno* 1655.³¹

*To Our right Trusty and right Welbeloved the Lords
Commissioners of Our Great Seal of England*

Whereas the Lord Newport extraordinary Ambassador of the United Provinces hath desired, and the East India Company of England by their humble petition besought us, that an instrument under the great seal of the Lords the States General for the delivery up of the Island of Polaron may be by the said Ambassador left in your hands, and that the said East India Company may have leave to deposit with you an acquittance for the said Island of Polaron and the sum of 85,000^l. in money till such time as the said 85,000^l be duly satisfied. We have therefore thought fit hereby to signify unto you that our will and pleasure is that the said instrument and acquittance be by you accordingly received, and safely kept till such time as the Dutch East India Company or their agent here shall have paid the said sum of 85,000^l. and that then the acquittance together with the act of ratification (to which our Great Seal of England is to bee affixed) be delivered to the said Ambassador and the instrument under the Great Seal of the States General to the East India Company here And so we bid you farewell. Given at Whitehall the 9th of May 1655.

OLIVER P.³²

In the midst of these greater affairs the Protector took occasion to consider two matters in regard to Ireland:

For the Lord Deputy of Ireland

SIR,

Doctor Usher late Archbishop of Armagh having made a request unto us on the behalf of Sir Timothy Terrill (who hath married his daughter) that the

³¹ Collection of Treatys (1732), iii, 144-5; also in Charles Jenkinson, Collection of all the Treaties . . . (1785), i, 66-68. Perf. Diurn., May 17, has an item, dated at the Hague, May 14, that Mr. Skinner and Mr. Chandler, sent by Cromwell to treat about the English merchants, have recently arrived. For ratification see *infra*, June 15, 1655.

³² Copy in Rawl. MSS. A261, ff. 44-44v; see Foster, Court Minutes, v, vi ff.

said Sir Timothy might become a lessee for one and twenty years of the manor of Tyrmon Pheken with the appurtenances lying in the County of Louth which was formerly part of the possessions of the Archbishop of Armagh, he paying for the same such yearly rent as is reserved and now payable for the same, and also for such ease in his arrears of rent incurred for certain lands in Clannan in the County of Armagh, held by lease from the said Archbishop, and by mean assignments come to the said Sir Timothy Terrill or his lady, as have been or may be afforded to any other for his better encouragement to pass his family into that Country for the planting thereof. We have thought fit to recommend him and his business to your care and consideration, and desire that you will favour him in that or any other desire he hath to make to you, as far as you may with justice and so I rest &c.

11th of May 1655.

OLIVER P.³³

This first letter to Fleetwood evidences the influence of the great champion of toleration, Archbishop Ussher, who, according to report, had a long interview with Cromwell about this time in which he made his famous retort. In a former conversation, the Protector had agreed to permit the episcopal clergy to perform their services in private. In this second interview the Protector is said to have observed of a boil with which he was then troubled, "If this core were out, I should soon be well." "I doubt," retorted Ussher, "the core lies deeper, there is a core in the heart," to which Cromwell retorted, in turn, by denying the permission he had previously granted,³⁴ though it appears from this document that he did not carry his resentment so far as to descend to any personal revenge.

The second letter to Fleetwood, if one may judge from a marginal note, refers to the case of one James Barry, now lost in oblivion:

For the Right Honourable the Lord Deputy of Ireland

DEAR CHARLES,

This poor man's case (if it be as it is represented in his petition), is very sad and deserves to be pitied. I believe he is in great extremity of want and poverty, and therefore I earnestly desire you to take his condition into your consideration, and let something be effectually done for him, whereby he and his family may have a subsistence; indeed I have been affected with the sense of his distressed condition, and therefore pray do not forget to take some course for his relief. I rest,

Whitehall,

10th of May, 1655

Your loving father,

OLIVER P.³⁵

[In the margin, "James Barry."]

³³ Copy in *Rawl. MSS. A261*, ff. 44v-45. Sir Timothy Tyrrell, later of Shotover, Oxford, married Ussher's only child, Elizabeth.

³⁴ *Dict. Nat. Biog.*, "Ussher."

³⁵ Lomas-Carlyle, Suppl. 104; Cp. 14th Rept. Dep. Keeler Pub. Records in Ireland, App., p. 40, for ref. to James Barry of Ballymashanree in the Great

The Irish question was still in the foreground of the Protector's mind. He had not merely considered the problem of transplanting various groups and individuals from New England but had already written Fleetwood as to the possibility of giving lands there to refugees from Piedmont³⁶ in pursuance of his policy of settling the island with Protestants. Of this there were continual evidences, among them at this moment a petition from one John Blackwell, junior, "there being scruples in Ireland about the lands settled on him by ordinance, and a letter written by his Highness thereon."³⁷ To this was added the problem of the pay of the armed forces. On May 11 the Council considered the petition of certain persons employed in the Tower for money due them in the two preceding years, with reference to the matter by the Protector dated August 7, 1654;³⁸ and it was reported that he had referred to a committee the question of cutting down the cost of the army, either by a reduction in its numbers or in the pay of the soldiers.³⁹ The Council's solution was to reduce the pay of the officers and men and to disband five troops of dragoons,⁴⁰ but their task was not lightened by the fact that at this moment the movement to make Cromwell king was being revived, owing to a feeling that the Protectorate was not strong enough and there was no assurance of its permanence.⁴¹ Though this had much support, especially among some of the leading ministers, it was opposed by a large part of the army,⁴² whose reduction under such circumstances was thus made doubly difficult by this untimely suggestion.

The other business of this important week of May 7 was of less significance. It was reported that a new Great Seal was being prepared with the addition of the arms of Scotland to those of England and Ireland on one side and the Protector's portrait on the other,⁴³ which lent some weight to the rumor of the plan to make Cromwell king. Meanwhile the executions for the Penruddock rising took place. On May 7 seven persons were hanged for treason and seven for felony; Grove was beheaded on May 9; but Penruddock was granted a reprieve by the sheriff, of which Cromwell was notified and presently sent an order for

Island, co. Cork. Of the same date is a letter from the Protector to the Lord Deputy and Council ordering that Col. Robert Saunders "should have the pre-emption of those houses and lands which he holds from the State, and that his arrears &c. should be allowed on his purchase." *Cal. S. P. Ire.* (1647-60), p. 642; cp. *ibid.*, pp. 640-3, for history of case.

³⁶ Legor to Stouppe, May 22, Thurloe, iii, 459 (before May 10).

³⁷ *Cal. S. P. Dom.* (1655), p. 155; cp. instructions to Fleetwood, July 2, 1653, Dunlop, *Ireland under the Commonwealth*, ii, 358-9.

³⁸ *Cal. S. P. Dom.* (1655), p. 159.

³⁹ *Clarke Papers*, iii, 38.

⁴⁰ *Ibid.*, p. 39.

⁴¹ Paulucci to Morosini, May 13/23, *Ven. Trans. R. O.*

⁴² Paulucci to Sagredo, May 13/23, *Cal. S. P. Ven.* (1655-6), p. 57.

⁴³ *Clarke Papers*, iii, 38.

his execution.⁴⁴ Besides these events the other doings of the Protector and Council were relatively unimportant; but taken all in all there are few periods of like length in the Protectorate of more interest both in foreign and in domestic affairs. In each it appeared that the new government was now well established, with its policies; the threat to its existence crushed, its Irish policy in full swing; its Mediterranean and West Indian expeditions under way; its relations with Holland and Sweden confirmed; and its position among European powers evidenced by the desperate efforts of France and Spain to secure its friendship.

In consequence Protector and Council had a breathing-space. On Friday, the day following the Fast Day in London,⁴⁵ Cromwell returned to Hampton Court where he stayed until the following Tuesday.⁴⁶ The Council did not meet until the next day and not until the first of the two sessions on the following Friday was the Protector present.⁴⁷ Besides various petitions which came before him in one way or another,⁴⁸ the principal Council business was the passage of the declaration for collecting the excise in Scotland from June 24,⁴⁹ which the Protector approved on the 16th, with twenty-one orders of May 9–11.⁵⁰ On the 17th he referred to the Council the petition of William Franklin of Boston in New England, with recommendation for “the petitioner’s releife,” which in time took the form of a post in the customs.⁵¹

These details of administration, however, yielded in significance to the great issue of the Piedmontese massacre, which, if not the most im-

⁴⁴ *Perf. Diurn.*, May 7–14, May 19 (says both beheaded May 9); Thurloe, iii, 445, gives Grove’s speech on scaffold, dated May 17. On May 11/21 Manning sent information to Thurloe’s office and news of the proposed assassination of Cromwell (*ibid.*, iii, 428).

⁴⁵ *Perf. Diurn.*, May 10.

⁴⁶ *Ibid.*, May 11; *Clarke Papers*, iii, 39.

⁴⁷ *Cal. S. P. Dom.* (1655), p. xxvi.

⁴⁸ Watkin Kiffen, “ruined” by the combined orders of the Protector and Army Committee in a matter of £700, paid by Kiffen to Lt.-Col. George Twisleton, governor of Denbigh Castle, who refused to return it and was sequestered by the Army Committee. On Sept. 26, 1654, the Protector superseded the prosecution and the Army Committee sequestered Kiffen. The Council sent the case back to the Army Committee. (*Cal. S. P. Dom.* (1655), pp. 163–4.) Petition of the widow of Col. Simon Needham, killed in 1648, to discharge his arrears signed May 10 by Cromwell “to relieve the petitioner speedily, and meanwhile allow her £10 a month.” On May 17 order that she receive £20 a month until arrears paid (*ibid.*, p. 165). May 16, pass for Samuel Ben Israel, son of Menasseh Ben Israel, to Holland (*ibid.*, p. 585).

⁴⁹ *Ibid.*, pp. 164–5; publ. May 22; cp. *Perf. Diurn.*, May 30.

⁵⁰ *Cal. S. P. Dom.* (1655), p. 164.

⁵¹ Facs. and copy of petition in *Facs. of Nat'l MSS.* (Southampton, 1865–8), pt. iv, p. 77 (#L); listed in *30th Rept. Dep. Keeper Public Records*, App. p. 303. See July 6, 1655, for the Protector’s order to Customs Commissioners.

portant, was at least the most publicized and best known of all Cromwell's adventures in Continental politics. The news of the persecution roused bitter anger in the British Isles. It was probably about this time that John Milton composed his famous sonnet beginning

Avenge, O Lord, thy slaughtered Saints, whose bones
Lie scatter'd on the Alpine mountains cold,

which expressed the horror of the recent atrocities committed by the government of Savoy on its Protestant subjects in its effort to confine them to the limits set earlier to their toleration. A day of humiliation was appointed; addresses poured in from London congregations and officers in Ireland; ⁵² collections were begun for the relief of the sufferers; ⁵³ and the mathematician and philosopher, Samuel Morland, had been despatched to France and Savoy, bearing not merely a protest against the persecution but scarcely veiled threats against the persecutors. The incident, as it happened, fitted in well with the Protector's foreign policy. With France and Spain contending for his favor, with the French treaty still hanging in the balance, with Blake in the Mediterranean, with Dury and Pell busy in the Rhineland and in Switzerland in the interest of a Protestant union, and with the Huguenots in France still to be considered, as well as French relations with the Swiss cantons, it offered a difficult situation for the French king and his minister. Among these various movements Mazarin could not well allow himself to be anticipated by Cromwell as the dominating influence on the Continent, and he hastened to patch up an arrangement with the Savoy government which found formal expression in October, 1655, in the peace or "pacification" of Pignerol which brought some relief to the persecuted Vaudois.

This was the more important in that the French were disturbed by the fact that the Spanish ambassador extraordinary had been granted two audiences with the Protector ⁵⁴ and by the knowledge that Cromwell and his Council had appointed commissioners to treat with Leda.⁵⁵ French nervousness, combined with the bad news from Piedmont, may explain in part the report that Bordeaux had orders to conclude the treaty at once.⁵⁶ That nervousness was not lessened by Bordeaux's meeting with the English commissioners for the treaty, since they had news that French troops were used in the Piedmont persecution and

⁵² Thurloe, iii, 466-67; *Cal. S. P. Dom.* (1655), p. 165. The day of fasting and prayer was set for May 30 in London and June 7 for the rest of the country, changed later to June 14.

⁵³ Nieupoort to Ruyssch, May 18/28, Thurloe, iii, 449.

⁵⁴ *Ibid.*, pp. 441-42.

⁵⁵ *Perf. Diurn.*, May 17.

⁵⁶ *Intelligence from Paris*, May 19/29, Thurloe, iii, 454-55.

they withheld any promise of alliance in return for an explanation or an agreement not to interfere further. Bordeaux's perhaps ill-advised reminder that the Catholics were persecuted in England scarcely helped to ease the situation,⁵⁷ which was promptly taken advantage of by the other powers desiring Cromwell's aid. Condé ordered Barrière to try to persuade the Protector to lend him a man-of-war to transport 50,000 *écus* to be paid to him by Cardenas, to avoid the necessity and inconvenience of bills of exchange.⁵⁸ Coyet was instructed to offer great advantages for English commerce if the Protector would side with the Swedes against the Dutch.⁵⁹

In his audience on May 17 Coyet expressed amazement at the Protector's vague reply to Sweden's request for recruits and equipment

to which the Protector replied that as he neither had been given any definite information about the number of recruits or the method of transportation from there, nor knew where they were intended to be used, he had postponed a definite decision on the question, giving assurance that he did not wish to deny the King anything yet not allowing any harm to befall his own country. When Coyet stated the number to be between six and eight thousand men and that they were to be transported in ships . . . the Protector did not wish to go deeper into the subject but simply said "he would give a respectable answer to it all" and began to talk about the evangelical religion. . . . He asked Coyet if he thought that Bonde, the expected ambassador, would be in any way instructed to treat with the Republic, which Coyet thought he would, and that he would negotiate for a closer alliance, adding that Bonde would come soon, providing the English ratification and the dispatch of it did not delay the Ambassador, whereupon the Protector said that he would send with the utmost haste an express to the King with it.

Concerning satisfaction for any harm suffered the Protector said he did not know that Swedish subjects had anything to demand in England, but all the same he had recommended their claims to the highest among the judges. . . . Coyet answered that some Swedish subjects had hired legal aid for some time past and had as yet not received any satisfaction . . . to which the Protector answered that if Swedish subjects had suffered any harm because of English law and had not received satisfaction, it was against his wishes and wholly without his knowledge; he would command the Commissioners to confer on the matter.

On this occasion the Protector also declared his desire for a closer alliance with Sweden for the sake of evangelical interests, for its more lasting and greater certainty.⁶⁰

⁵⁷ Bordeaux to Mazarin, same to Brienne, May 17/27, *Fr. Trans. R. O.*

⁵⁸ Condé to Barrière, Brussels, May 15/25, Thurloe, iii, 439.

⁵⁹ Instructions to Coyet from Charles X, May 15, in Carlbom, p. 35. As to the troops from Scotland to Sweden, Cromwell hesitated, fearing that they might return to make trouble. (Coyet to Charles X, May 18, *Stockholm Trans.*)

⁶⁰ Carlbom, pp. 16-18. The Protector had once said to Coyet that Charles Gustavus and he would be able to hold the whole world in check when a closer

For the moment it appeared that the English ruler was, in a sense, the arbiter of the destinies of a great part of western Europe. Nor did it comfort the Catholic powers, especially Savoy, to know that the States General of the Netherlands had also lodged a protest with the Duke,⁶¹ and that the Protector had appealed to Bordeaux to persuade Louis XIV to intercede for the Vaudois.⁶²

If this were not enough to disturb the Protector, at this moment there came up again the case of that George Cony who had refused to pay customs on his importations. It was set for May 12, when his counsel denied the validity of the ordinances of December 29, 1653 and of September 2, 1654, on the strength of which the duties had been levied.⁶³ No decision was reached;⁶⁴ the three lawyers were summoned before the Council which advised sending them to the Tower and that the Protector sign a warrant for that purpose on the ground of "using words tending to sedition, and the subversion of the present government."⁶⁵ That advice was promptly taken by the Protector who received them on the same day, and after keeping them waiting for some time, branded them as traitors and fractious persons and sent them to the Tower each in a separate coach to prevent their communication with each other,⁶⁶ though they at once petitioned and were presently released.⁶⁷

But the punishment of Twysden, Maynard and Wyndham was not the only evidence that the Protector was determined to enforce his authority. Despite the reports from abroad which expressed surprise at his leniency toward the late insurrectionists,⁶⁸ with the leaders of the attempted rebellion out of the way, he turned to dispose of some of the others, as his order to Barkstead indicates:

alliance was concluded between them, as Sweden on land and England on the sea would make a formidable power (*ibid.*, p. 22, n. 3).

⁶¹ May 17/27, Thurloe, iii, 443-44.

⁶² Nieupoort to Ruysch, May 18/28, *ibid.*, p. 449.

⁶³ *Cp. supra.*

⁶⁴ According to Wm. Godwin, *Hist. of the Commonwealth* (1824-8), iv, 176, this was on May 17; cp. also Gardiner. *Perf. Proc.*, May 17-24; *Perf. Diurn.*, May 19; Bordeaux to his father, May 24/June 3, Thurloe, iii, 469; Nieupoort to States General, May 18/28, *Add. MSS.*, 17677 W fol. 95; Paulucci to Sagredo, May 26/June 5, *Cal. S. P. Ven.* (1655-6), p. 62; *Cal. S. P. Dom.* (1655), pp. 167-68; *Perf. Diurn.*, May 23 says "this day Cony again brought to Upper Bench; there being a defect in the return of the writ, he was again remanded to custody." Godwin, iv, 178-79 puts this on May 19 and says he appeared again on the last day of the term and the case was postponed.

⁶⁵ *Cal. S. P. Dom.* (1655), p. 168.

⁶⁶ John Langley to Sir R. Leveson, *Hist. MSS. Comm. Repts.* 5, App. (*Sutherland MSS.*), p. 180.

⁶⁷ *Cal. S. P. Dom.* (1655), pp. 179, 196.

⁶⁸ Intelligence from Paris, Thurloe, iii, 454-55.

To Colonel Barkstead

OLIVER P.

These are to will and require you forthwith to deliver unto mr. Martyn Noel, to be transported to our island of Barbados in America, the bodies of Somerset Fox, Francis Fox, Thomas Saunders, Anthony Jackson, Rowland Thomas, colonel Grey, colonel Gardiner, and James Hodges, now prisoners under your charge in our Tower of London, and who were committed thither, viz. the said Somerset Fox, Francis Fox, Thomas Sanders, Rowland Thomas, colonel Grey, and colonel Gardiner, for high treason, the said Anthony Jackson for treason in invading the nation, and the said James Hodges for high misdemeanors against us and the state. And for so doing this shall be your warrant. Given at Whitehall the 18th day of May 1655.

To our trusty and well beloved John Barkstead, esq;
lieutenant of our Tower of London.⁶⁹

Mingled with these great affairs, as usual, was a mass of minor business. On May 17 the Protector ordered one William Boulton to deliver to John Frost "bonds, writings and papers of concernment to the public" which had belonged to the Council.⁷⁰ On May 19 the Earl of Callander wrote to Lothian that by the intercession of Lockhart he had been admitted to kiss the Protector's hand.⁷¹ Meanwhile the designs against Cromwell's life continued. Four Catholics were reported to have been arrested for having sworn to kill him;⁷² two other men for being in possession of a letter describing an engine which would kill him at 300 yards;⁷³ and on May 21 Lord Byron and others were apprehended for a conspiracy against the Protector's person,⁷⁴ for which they were presently brought before him to be examined.⁷⁵ Meanwhile he went about his daily business. Though he attended no Council meeting during the week of May 21, he approved a number of its orders⁷⁶ and in turn it took up many petitions which he had referred to it.⁷⁷ On May 22 he considered an order, signed by him three days later, to the Commissioners of the Great Seal, the Chief Justices and the Treasury Commissioners to pay the customary warrants for their expenses.⁷⁸ On May 23 he ordered Frost to pay Thurloe £500 for intelligence⁷⁹ and

⁶⁹ *Ibid.*, 453-54.

⁷⁰ Gribbel Collection (Philadelphia, Pa.), Parke-Bernet Cat., pt. I, p. 64.

⁷¹ *Anram and Lothian Correspondence*, ii, 391.

⁷² Duke of York to Charles II, Paris, May 14, Thurloe, i, 666.

⁷³ *Clarke Papers*, iii, 40.

⁷⁴ *Perf. Diurn.*, May 21; Nieupoort to States General, May 25/June 4, *Add. MSS.*, B. M., 17677 W f. 100.

⁷⁵ *Perf. Proc.*, May 17-24 and *Fr. Trans. R. O.*

⁷⁶ *Cal. S. P. Dom.* (1655), p. xxvi and p. 182. See also p. 172 for approval of missing order of 30 Nov., 1654, to Clayton, Zouch and Wilkinson.

⁷⁷ *Ibid.*, pp. 171, 175, 177, 179 (petition of Cony counsel), 180 (Pennington).

⁷⁸ *Ibid.*, p. 173.

⁷⁹ *Sloane MSS.*, B. M., 1519, f. 157.

signed a pass for one Charles Legrosse to go to France; ⁸⁰ and in the meantime two orders for collecting the excise in Scotland and Ireland ⁸¹ and an order for an assessment of £60,000 a month for the six months beginning June 24 were issued.⁸²

It is evident that by the last week of May, 1655, the chief concern of the Protector's government — now that the Penruddock affair was cleared up — was the situation of foreign affairs and the far-flung interests of the Empire, which were so closely connected with foreign policy. The question of Dutch indemnity to the English East India Company still hung fire, and in reply to a petition of the Company that the money due them be deposited in other hands until certain internal difficulties be settled,⁸³ the Protector referred the matter to the Council ⁸⁴ and personally authorized Sir Thomas Viner and Alderman Riccard to receive the £85,000 in question and hold it until a solution was found.⁸⁵ From that he turned to write to the governor of St. Christopher's in the West Indies and to Blake in the Mediterranean:

*To Our Trusty and Welbeloved the Gouvernour of Our Island of
St. Christophers in America*

OLIVER P.

Trusty and welbeloved we greet you well:

The enclosed petition of Roger Morton having been presented to us, wherein is set forth the injustice pretended to be done him by Lieutenant Colonel John Jepherson in reference to certain lands in our Island of St. Christophers in America, which the petitioner purchased of William Harman, we have thought fit to transfer the petition unto you, and to signify (as we do hereby) that our will and pleasure is that you being upon the place (and who therefore can with the better conveniency inform yourself of the matter of fact) take cognizance of what is suggested in the said petition and examine the truth of the whole business. And in case you shall find the same to be as 'tis represented, we will that care be by you taken that such due relief be given to the petitioner therein as to justice appertains. And so we bid you farewell. Given at Whitehall the 21st of May 1655.⁸⁶

For General Blake

SIR,

We are well informed by George Tito of Poole that he being some few years past at Malaga in Spain, did there leave his son Thomas Tito to learn the

⁸⁰ Noted in Thorpe's cat. (1843), p. 96. Legrosse was M. P. in 1625-6, 1627-8, 1640; Independents tried to expel him in 1647. His estate was at Sloley near Crostwick, Norfolk.

⁸¹ Abbott, *Bibliog. of O. C.*, no. 775.

⁸² *Cal. S. P. Dom.* (1655), p. 183; cp. *Perf. Diurn.*, May 30.

⁸³ *Perf. Diurn.*, May 21. ⁸⁴ Foster, *Court Minutes*, v, 28.

⁸⁵ May 24; order noted as received by the Dutch Committee May 26; cal. in Foster, v, 32, listed in Parke-Bernet cat. no. 251 (Gribbel coll., pt. 2, p. 43, no. 158); Thurloe, iii, 478.

⁸⁶ Copy in Rawl. MSS. A261, p. 45.

language and that his said son was afterwards violently taken away from his master by one of the captains of that place, and by him forcibly detained, and not suffered to return to his parents and native country, without any offence committed or cause given either for the said seizure or detainer; and this being altogether contrary to the good correspondence which is between this Commonwealth and Spain and contrary to all equity and common right, we think fit at request of the said George Tito, who hath all along since the beginning of the late wars appeared a faithful friend to the common cause of the good people of this nation, that you represent the business to the Governor of Malaga in such sort as the aforesaid Thomas Tito may be set at liberty and so as he may be suffered to return home to his parents and native country. And so we bid you farewell and rest.

Your loving friend,
OLIVER P.⁸⁷

23th of May, 1655.

Nor was this all the concern of the Protector over matters outside of England. Fleetwood was disturbed over his position in the difficult situation forced on him by the transplantation policy and had written his father-in-law requesting a letter from him to encourage it and to persuade the Irish that there would be no relaxation. He was further uneasy over being "discountenanced" in England and hesitated to comply with Cromwell's order to send more troops on account of the danger of weakening his forces.⁸⁸ To him and his Council at this juncture the Protector addressed a letter, not with respect to these greater matters but in behalf of Sir John Temple now despatched to take his place as Master of the Rolls there:

*For the Right Honourable the Lord Deputy and Council in Ireland
MY LORD AND GENTLEMEN,*

We being given to understand by Sir John Temple that he intends presently to return into Ireland, and settling himself there constantly to attend the execution of his place of Master and Keeper of the Rolls therc, have thought fit in a particular manner by these our letters to recommend him unto you. He is a person who out of his experience of the affairs of that country is very well able to do service there, and may be useful to the public, not only in that empployment which he hath so long continued in, but in anything else which you shall hold fit to commit unto his charge. We shall therefore desire you to take special notice of him and of the good service which he hath formerly done in that country, and giving him all manner of encouragement for the time to come, to take it into your care that he may enjoy all the rights, privileges and advantages belonging to his said place. And whereas we are informed that notwithstanding the great care and diligence he hath used by himself and his Deputy for the preservation of the Rolls, maintaining clerks to attend upon that service during all the late troubles, though he made no benefit to himself

⁸⁷ Copy in *ibid.*, p. 45v.

⁸⁸ Fleetwood to Thurloe, May 23, Thurloe, iii, 468.

out of the said office nor received the yearly fee of one hundred and fifty pounds belonging thereunto and granted unto him by patent under the great seal of Ireland, we do think fit and do therefore desire you to take the arrears of his said fee so far into consideration as to cause them to be examined and an account of them truly stated and to make payment of some such part of them as may enable him to go on with diligence and cheerfulness in the public service there. We rest,

Your very loving friend,

Whitehall,
23 May, 1655.

OLIVER P.⁸⁹

To these minutiae he added another item in the form of a recommendation for a certain Captain Keene, seeking employment in the Netherlands:

*Oliver, Protector of the Commonwealth of England, Scotland, Ireland &c.
To the Exalted and Potent Lords Ordainers of Zeeland, our good Friends and
Allies. Greeting.*

Exalted and Potent Lords, good Friends and Allies,

The bearer of these presents Conrad Keene, retired Captain in the regiment of General Killigrew, we recommend by these letters of ours to your exalted and potent lordships as eager with the greatest zeal to earn a reputation under your command. Inasmuch as he had confidence that our favor would have great influence with you, considering your liberality and kindness, he has petitioned that, since Captain Ketley of the same regiment has lately died, he may, by our intercession, be appointed to the vacancy in place of the deceased. By this incentive and reward for merit you will stir others to deserve well. Also you will hold us bound by this kindness of yours to similar and even greater services of gratitude and good-will if any occasion offers. In all else may that mightiest Leader of Hosts favor and preside over your Undertakings and efforts.

Given from our Court at Westminster, May 25th, 1655.⁹⁰

The letter in behalf of Captain Keene which reveals, among other things, the greatly altered relations between Great Britain and the Netherlands, was not unconnected with the greater events and policies then stirring in Anglo-Continental relations. Bordeaux had earlier reported that the Protector had given Coyet permission to raise 6,000

⁸⁹ Lomas-Carlyle, Suppl. 105 (7); from *Letters from the Lord Protector etc.* P. R. O. Dublin, A/28, 26 p. 60. Sir John Temple, son of Sir William Temple, provost of Trinity College, Dublin, had been made Master of the Rolls in 1640, was arrested in 1643 for spreading scandalous reports about Charles I, returned to England and provided with a seat in the Long Parliament, wrote a history of the Irish rebellion, and when he returned to Ireland was accompanied by his eldest son, William, and that son's bride, Dorothy Osborne. This letter is cal. in Dunlop, ii, 514. On July 10 the Protector was advised to order £100 for a gift to Temple. (*Cal. S. P. Dom.*, 1655, p. 235.)

⁹⁰ Trans. of copy in Rawl. MSS., A261, ff. 45v-46, pr. in App. II (34).

soldiers in Scotland for the Swedish army,⁹¹ but Nieupoort now wrote that this permission had been refused.⁹² The French ambassador was at this moment extremely annoyed by the unfortunate events in Savoy, for Thurloe wrote that before agreeing to the treaty with France, Cromwell proposed to write Louis XIV in regard to that affair and would send Bordeaux a copy of his letter the next day. The suggestion was that there might be an effort to make the Savoy question an excuse for war between England and France.⁹³ According to Nieupoort, the Protector was so incensed at the Piedmont cruelties that he was ready to venture everything for the protection of the Protestants and wished to join the Netherlands in interceding for them;⁹⁴ and it is certain that as early as May 23, Morland received orders to take the Protector's message to Louis XIV and to the Duke of Savoy, and that he left London three days later on that mission.⁹⁵ It is no less certain that on May 30 a declaration was published for a day of fasting and humiliation for the Savoy Protestants;⁹⁶ that there was set on foot a movement to collect funds for these Waldenses or Vaudois — which, incidentally, is still in progress after nearly three hundred years⁹⁷ — and that he addressed the most vigorous letters of his career as a ruler to the sovereigns and ministers of Europe on behalf of this persecuted people:

Oliver Protector, &c. To the most Serene Prince, Immanuel Duke of Savoy, Prince of Piemont, Greeting.

Most Serene Prince,

Letters have bin sent us from Geneva, as also from the Dauphinate, and many other Places bordering upon your Territories, wherein we are given to understand, That such of your Royal Highness's Subjects as profess the Reformed Religion, are Commanded by your Edict, and by your Authority, within three days after the Promulgation of your Edict, to depart their Native Seats and Habitations, upon pain of capital Punishment, and Forfeiture of all their Fortunes and Estates, unless they will give security to relinquish their Religion within Twenty days, and embrace the Roman Catholick Faith. And that when they appli'd themselves to your Royal Highness in a most Suppliant manner, imploring a Revocation of the said Edict, and that being receiv'd into pristin favour, they might be restor'd to the Liberty granted 'em by your

⁹¹ Chanut to Bordeaux, May 25/June 4, Thurloe, iii, 472.

⁹² Nieupoort to States General, May 24, *ibid.*, pp. 477-8; this letter enclosed Cromwell's letter to the States General.

⁹³ Bordeaux to his father, May 24/June 3, *ibid.*, pp. 468-9; same to Brienne, May 24, *ibid.*, p. 470; same to Mazarin and Brienne, *Fr. Trans. R. O.*

⁹⁴ Nieupoort to States General, May 25/June 4, Thurloe, iii, 476-7.

⁹⁵ Morland, p. 563.

⁹⁶ Dated May 25; observed June 14. *Perf. Diurn.*, May 30. Abbott, *Bibliog. of O. C.*, no. 7442.

⁹⁷ Collections are still being made in Great Britain and the United States by the Waldensian Society, with its motto "Lux in tenebris" for the support of that body and its church in Italy.

Predecessors, a part of your Army fell upon 'em, most cruelly Slew several, put others in Chains, and compell'd the rest to Flye into Desert places and to the Mountains cover'd with snow, where some Hundreds of Families are reduc'd to such Distress, that 'tis greatly to be fear'd, they will in a short time all miserably Perish through Cold and Hunger. These things, when they were related to us, we could not chuse but be touch'd with extream Grief and Compassion for the Sufferings and Calamities of this Afflicted People. Now in regard we must acknowledge our selves link'd together not only by the same tye of Humanity, but by joyst Communion of the same Religion, we thought it impossible for us to satisfie our Duty to God, to Brotherly Charity, or our Profession of the same Religion, if we should onely be affected with a bare sorrow for the Misery and Calamity of our Brethren, and not contribute all our endeavours to Relieve and Succour 'em in their unexpected Adversity, as much as in us lies. Therefore in a greater measure we most earnestly Beseech and Conjure your Royal Highness, that you would call back to your thoughts the moderation of your most Serene Predecessors, and the Liberty by them Granted and Confirm'd from time to time to their Subjects the *Vaudois*. In Granting and Confirming which, as they did that, which without all question was most grateful to God, who has bin pleas'd to reserve the Jurisdiction and Power over the Conscience to himself alone, so there is no doubt but that they had a due consideration of their Subjects also, whom they found Stout and most Faithful in War, and always Obedient in Peace. And as your Royal *Serenity* in other things most laudably follows the footsteps of your Immortal Ancestors, so we again and again beseech your Royal Highness not to swerve from the path wherein they trod in this particular; but that you would vouchsafe to Abrogate both this Edict, and whatsoever else may be Decreed to the Disturbance of your Subjects upon the account of the Reform'd Religion; that you would ratifie to 'em their conceded Privileges and pristin Liberty, and command their Losses to be repair'd, and that an end be put to their Oppressions. Which if your Royal Highness shall be pleas'd to see perform'd, you will do a thing most acceptable to God, revive and comfort the miserable in dire Calamity, and most highly oblige all your Neighbours that Profess the Reformed Religion, but more especially our selves, who shall be found to look upon your Clemency and Benignity toward your Subjects as the fruit of our earnest Solicitation. Which will both engage us to a reciprocal return of all good Offices, and lay the solid foundations not only of establishing, but encreasing Alliance and Friendship between this Republick and your Dominions. Nor do we less promise this to our selves from your Justice and Moderation; to which we Beseech Almighty God to encline your Mind and Thoughts. And so we cordially Implore Just Heaven to bestow upon your Highness and your People the Blessings of Peace and Truth, and prosperous Success in all your Affairs.

White-Hall, May [25.] 1655.⁸⁸

⁸⁸ Milton, *Works* (Columbia), xiii, no. 51; translation also in Symmons, *Milton*, iv, 378-80; Masson, *Milton*, v, 184-88, dated May 10; Morland, pp. 572-74. Latin original in Geneva Archives dated May 26, as is copy preserved in R. Archivio di Stato in Torino; official copy preserved in Record Office, and copy delivered to the Duke (Morland, pp. 572-74) dated May 25; Hamilton,

Oliver Protector, to the most Serene Prince, Charles Gustavus Adolphus, King of the Swedes, Greeting.

We make no question but that the fame of that most rigid Edict has reach'd your Dominions, whereby the Duke of Savoy has totally Ruin'd his Protestant Subjects Inhabiting the Alpine Valleys, and commanded 'em to be extirminated from their Native Seats and Habitations, unless they will give security to renounce their Religion receiv'd from their Forefathers, in exchange for the Roman Catholick Superstition, and that within Twenty days at farthest; so that many being kill'd, the rest Strip to their Skins and expos'd to most certain destruction, are now forc'd to wander over desert Mountains and through perpetual Winter, together with their Wives and Children, half dead with Cold and Hunger; and that your Majesty has laid it to heart with a Pious sorrow and compassionate consideration we as little doubt. For that the Protestant Name and Cause, although they differ among themselves in some things of little Consequence, is nevertheless the same in general and united in one common Interest, the hatred of our Adversaries, alike insenc'd against Protestants, very easily demonstrates. Now there is no body can be ignorant, that the Kings of the Swedes have always joyn'd with the Reformed, carrying their Victorious Arms into Germany in Defence of the Protestants without distinction. Therefore we make it our chief request, and that in a more especial manner to your Majesty, that you would solicit the Duke of Savoy by Letters, and by interposing your intermediately Authority, endeavour to avert the horrid Cruelty of this Edict, if possible, from People no less Innocent then Religious. For we think it superfluous to admonish your Majesty, whither these rigorous beginnings tend, and what they threaten to all the Protestants in general. But if he rather chuse to listen to his Anger then to our joyn't Intreaties and Intercessions, if there by any Tye, any Charity or Communion of Religion to be Believ'd and Worshipp'd, upon Consultations duly first communicated to your Majesty and the chief of the Protestant Princes, some other course is to be speedily taken, that such a numerous multitude of our Innocent Brethren may not miserably Perish for want of Succour and Assistance. Which in regard we make no question but that it is your Majesties Opinion and Determination, there can be nothing in our opinion more prudently resolv'd, then to joyn our Reputation, Authority, Councils, Forces, and whatever else is needful, with all the speed that may be, in pursuance of so Pious a design. In the mean time we beseech Almighty God to Bless your Majesty.⁹⁹

[May 25. 1655.]

To the King of France.

Most serene King.

The lamentable Complaints which have been brought unto us from those poor distressed people, which inhabit, and who profess the Reformed Religion

Original Papers, p. 15, says official copy reads May 25 1656; Latin printed in Milton, *Works* (Columbia), xiii, no. 51; also in Symmons, *Milton*, vi, 7-8; and in Vischer's ed. of Leti, ii, 272, there dated May 26, 1655.

⁹⁹ Milton, *Works* (Columbia), xiii, no. 53; translation also in Symmons, *Milton*, iv, 382-83, and Morland, pp. 554-55, dated May 25. Latin printed in Milton, *Works* (Columbia), xiii, no. 53, in Morland, pp. 554-55, and Symmons, *Milton*, vi, 10-11.

in *Lucerna*, *Angrognia*, and other Valleys, within the Dominions of the Duke of *Savoy*, who have of late been most cruelly massacred, as also the frequent sad tidings that we have received concerning the plundering and exiling of others, have drawn these letters from us unto your Majesty, especially seeing we have also been informed (but how truly, as yet we know not) that this massacre has been acted partly by some Troops of yours, which had joyned themselves with other Forces belonging to the Duke of *Savoy*. But we have been very loath to give any belief to these things, seeing it cannot be thought agreeable to the purposes and proceedings either of good Princes, or of your Majesties most prudent Ancestours, who conceived it to be chiefly both their own interest, and also very much conducing to the peace of their Kingdom, and of all Christendom, that their Subjects professing that Religion, should be permitted to live in safety, and free from injury under their government and protection; who being obliged by this clemency of their Kings, have often times performed eminent service for their Sovereigns both in Peace and War. Upon the same consideration also, the Dukes of *Savoy* have been induced to treat their Subjects, which inhabit the Valleys of the Alps, with the same favour; who also being very ready upon occasion for the service of their Prince, have not at any time spared either their lives or fortunes. Now we do not doubt but that your Majesty hath such an Interest and Authority with the Duke of *Savoy*, that by your Intercession and signification of your good will, a Peace may very easily be procured for those poor people, with a return into their native countrey, and to their former liberty. The performance whereof will be an action worthy of your Majesty, and answerable to the prudence and example of your most serene Predecessours; and will not onely very much confirm the mindes of your Subjects, that they need not fear the like mischief any time hereafter, but also engage your Confederates and Allies, which profess the same Religion, in a far greater respect and good affection to your Majesty. As to what concerns us, what favour soever in this kinde shall be granted, either to your own Subjects, or shall, by your means, be obtained for the Subjects of others, it shall be no less acceptable to us, yea truly it will be more acceptable, and valuable, than any other profit and advantage, among those many which we promise unto our self from the friendship of your Majesty.

Given at our Palace at *Westminster* 25. May 1655.

OLIVER P.¹⁰⁰

To his Eminency Cardinal Mazarin.

Most Eminent Lord,

The late most Grievous Cruelties, and most Bloody Slaughters perpetrated upon the Inhabitants of the Valleys of *Piemont*, within the Duke of *Savoy's* Dominions, occasion'd the writing of the inclos'd Letters to his Majesty, and these other to your Eminency. And as we make no doubt but that such Tyranny, Inhumanities, so rigorously inflicted upon harmless and indigent

¹⁰⁰ Milton, *Works* (Columbia), xiii, no. 139, from Morland (1658), pp. 564-65. Another translation, inaccurate, in Guizot, *Cromwell*, ii, 432-3. Original Latin in French archives; cal. in 39th Report Deputy Keeper of Public Records, App. p. 711; Latin printed in Milton, *Works* (Columbia), xiii, no. 139, and in Hamilton, *Original Papers*, pp. 2-3, both from Skinner Transcripts.

People, are highly displeasing and offensive to the most Serene King; so we readily persuade our selves, that what we request from his Majesty in behalf of those unfortunate Creatures, your Eminency will employ your endeavour, and your favour to obtain, as an accumulation to our Intercessions. Seeing there is nothing which has acquir'd more good-will and affection to the French Nation, among all the Neighbouring Professors of the Reformed Religion, than that Liberty and those Privileges, which by publick Acts and Edicts are granted in that Kingdom to the Protestants. And this among others was one main Reason, why this Republick so ardently desir'd the Friendship and Alliance of the French People. For the settling of which we are now treating with the King's Ambassador, and have made those progresses, that the Treaty is almost brought to a conclusion. Besides that, your Eminency's singular Benignity and Moderation, which in the management of the most Important Affairs of the Kingdom, you have always testifi'd to the Protestants of France, encourages us to expect what we promise to our selves from your Prudence and Generosity; whereby you will not only lay the foundations of a stricter Alliance between this Republick and the Kingdom of France, but oblige us in particular to Returns of all good Offices of Civility and Kindness: And of this we desire your Eminency to rest assur'd.

Your Eminency's most Affectionate,

[May. 25. 1655.]

OLIVER P.¹⁰¹

Oliver Protector of the Commonwealth of England, to the most Serene Prince, Frederick III. King of Danemark, Norway, &c.

With what a severe and unmerciful Edict *Immanuel* Duke of Savoy has expell'd from their Native Seats his Subjects inhabiting the Valleys of Piemont, men otherwise harmless, onely for many years remarkably famous for embracing the Purity of Religion; and after a dreadful Slaughter of some numbers, how he has expos'd the rest to the hardships of those desert Mountains, Stript to their Skins, and barr'd from all relief, we believe your Majesty has long since heard, and doubt not but that your Majesty is touch'd with a real commiseration of their Sufferings, as becomes so puissant a Defender and Prince of the Reformed Faith. For indeed the Institutions of Christian Religion require, that whatever Mischiefs and Miseries any part of us undergo, it should behove us all to be deeply sensible of the same: Nor does any man better then your Majesty foresee, if we may be thought able to give a right conjecture of your Piety and Prudence, what dangers the success and example of this fact portend to our selves in particular, and to the whole Protestant name in general. We have written the more willingly to your self, to the end we might assure your Majesty, that the same sorrow which we hope you have conceiv'd for the Calamity of our most Innocent Brethren, the same opinion, the same judgment you have of the whole matter, is plainly and sincerely our own. We have

¹⁰¹ Milton, *Works* (Columbia), xiii, no. 112; translation also in Symmons, *Milton*, iv, 451, undated and misplaced among 1658 letters, and Guizot, ii, 433, dated 1654. Latin original in Archives du Ministère des affaires Etrangères, Corr. Pol. Angleterre, v, 66, f. 60; printed in Milton, *Works* (Columbia), xiii, no. 112; also in Symmons, *Milton*, vi, 69-70, and Vischer's ed. of Leti, ii, 339, undated and misplaced with 1658 letters.

therefore sent our Letters to the Duke of Savoy, wherein we have most importunately besought him to spare those miserable People that implore his mercy, and that he would no longer suffer that dreadful Edict to be in force. Which if your Majesty and the rest of the Reformed Princes would vouchsafe to do, as we are apt to believe they have already done, there is some hope that the Anger of the most Serene Duke may be asswag'd, and that his Indignation will relent upon the Intercession and Importunities of his Neighbour Princes. Or if he persist in his Determinations, we protest our selves ready, together with your Majesty, and the rest of our Confederates of the Reformed Religion, to take such speedy methods as may enable us, as far in us lies, to relieve the distresses of so many miserable Creatures, and provide for their Liberty and Safety. In the mean time we beseech Almighty God to bless your Majesty with all Prosperity.

White-Hall, May [25.] 1655.¹⁰²

To the Evangelick Cities of Switzerland.

We make no question but the late Calamity of the *Piemontois*, Professing our Religion, reached your Ears, before the unwelcome News of it arriv'd with us. Who being a People under the Protection and Jurisdiction of the Duke of Savoy, and by a severe Edict of their Prince Commanded to depart their Native Habitations, unless within Three days they gave security to embrace the *Roman Religion*, soon after were assail'd by Armed Violence, that turn'd their Dwellings into Slaughter-houses, while others, without Number, were terris'd into Banishment, where now Naked and Afflicted, without House or Home, or any Covering from the Weather, and ready to perish through Hunger and Cold, they miserably wander thorough desert Mountains, and depths of Snow, together with their Wives and Children. And far less reason have we to doubt, but that, so soon as they came to your knowledge, you laid these things to heart, with a Compassion no less sensible of their multipli'd Miseries, than our selves; the more deeply imprinted perhaps in your minds, as being next Neighbours to the sufferers. Besides, that we have abundant proof of your singular Love and Affection for the Orthodox Faith, of your constancy in retaining it, and your Fortitude in defending it. Seeing then, by the most strict Communion of Religion, that you, together with our selves, are all Brethren alike, or rather one body with those unfortunate People, of which no member can be Afflicted without the feeling, without pain, without the detriment and hazard of the rest; we thought it convenient to Write to your Lordships concerning this matter, and let you understand, how much we believe it to be the general Interest of us all, as much as in us lies, with our common Aid and Succour, to relieve our exterminated and indigent Brethren; and not only to take care for removing their Miseries and Afflictions, but also to provide, that the mischief spread no farther nor incroach upon our selves in general, encourag'd by Example and Success. We have Written Letters to the Duke of Savoy, wherein we have most earnestly besought him out of his

¹⁰² Milton, *Works* (Columbia), xiii, no. 58; translation also in Symmons, *Milton*, iv, 389-90, and Morland, pp. 556-57. Latin printed in Milton, *Works* (Columbia), xiii, no. 58; also in Symmons, *Milton*, vi, 15-16; Morland, pp. 556-57; Vischer's ed. of Leti, ii, 270, dated 23 May 1655 from Westminster.

wonted Clemency, to deal more gently and mildly with his most faithful Subjects, and to restore 'em, almost Ruin'd as they are, to their Goods and Habitations. And we are in hopes, that by these our Intreaties, or rather by the united Intercessions of us all, the most Serene Prince at length will be atton'd, and grant what we have requested with so much Importance. But if his mind be obstinately bent to other determinations, we are ready to communicate our Consultations with yours, by what most prevalent means to relieve and re-establish most Innocent men, and our most dearly beloved Brethren in Christ, tormented and overlaid with so many Wrongs and Oppressions; and preserve 'em from inevitable and undeserved Ruin. Of whose welfare and Safety, as I am assur'd, that you according to your wonted Piety, are most cordially tender, so, for our own parts, we cannot but in our opinion prefer their preservation before our most important Interests, even the safeguard of our own life. Farewel.

Westminster, May, [25.] 1655.

O.P.

Superscrib'd, To the most Illustrious and Potent Lords, the Consuls and Senators of the Protestant Cantons and Confederate Cities of Switzerland, Greeting.¹⁰³

Oliver Protector of the Republick of England, to the most Serene Prince of Transilvania, Greeting.

Most Serene Prince,

By your Letters of the 16th. of Nov. 1654. you have made us sensible of your singular good-will and affection toward us; and your *Envoy*, who deliver'd those Letters to us, more amply declar'd your desire of contracting Alliance and Friendship with us. Certainly for our parts, we do not a little rejoice at this Opportunity offer'd us to declare and make manifest our Affection to your Highness, and how great a value we justly set upon your Person. But after Fame had reported to us your egregious Merits and Labours undertaken in behalf of the Christian Republick, when you were pleas'd that all these things, and what you have farther in your thoughts to do in the defence and for promoting the *Christian Interest*, should be in Friendly manner imparted to us by Letters from your self, this afforded us a more plentiful occasion of Joy and Satisfaction, to hear, that God, in those remoter Regions, had rais'd up to himself so Potent and Renowned a Minister of his Glory and Providence: And that this great Minister of Heaven so fam'd for

¹⁰³ Milton, *Works* (Columbia), xiii, no. 55; translation also in Symmons, *Milton*, iv, 385-86, and Morland, pp. 561-62. Latin original in Zürich archives; printed in Milton, *Works* (Columbia), xiii, no. 55, with date May 19, as in Skinner Transcripts; in Symmons, *Milton*, vi, 12-13; in Holzach, "Über die politischen Beziehungen der Schweiz zu Oliver Cromwell" in *Basler Zeitschrift für Geschichte und Altertumskunde*, v, 53-54; and in Morland, pp. 561-562, dated May 25. May 19 may have been the date of draft. The letter was first opened by the senate at Zürich and then sent to the deputies of the four chief Protestant cantons meeting at Arraw about the Piedmont business; they drew up a reply, had it written at Zürich and delivered to Pell who had transmitted Cromwell's letter. Their reply took no notice of the conclusion of the Protector's letter. (Pell to Thurloe, June 23, in Vaughan, *Cromwell*, i, 200-204.)

his Courage and Success, should be desirous to associate with us in the common Defence of the Protestant Religion, at this time wickedly assail'd by Words and Deeds. Nor is it to be question'd but that God, who has infus'd into us both, though separated by such a spacious interval of many Climates, the same desires and thoughts of defending the Orthodox Religion, will be our Instructor and Author of the ways and means whereby we may be assistant and useful to our selves and the rest of the Reformed Cities, provided we watch all opportunities that God shall put into our hands, and be not wanting to lay hold of 'em. In the mean time we cannot without an extream and penetrating sorrow forbear putting your Highness in mind how unmercifully the Duke of Savoy has Persecuted his own Subjects, Professing the Orthodox Faith, in certain Valleys at the feet of the *Alps*. Whom he has not only constrain'd by a most severe Edict as many as refuse to embrace the Catholick Religion, to forsake their Native Habitations, Goods and Estates, but has fall'n upon 'em with his Army, put several most Cruelly to the Sword, others more Barbarously Tormented to Death, and driven the greatest number to the Mountains, there to be consum'd with Cold and Hunger, exposing their Houses to the Fury, and their Goods to the Plunder of his Executioners. These things as they have already bin related to your Highness, so we readily assure our selves, that so much cruelty cannot but be grievously displeasing to your ears, and that you will not be wanting to afford your Aid and Succour to those miserable Wretches, if there be any that survive so many Slaughters and Calamities. For our parts we have Written to the Duke of Savoy, beseeching him to remove his insenc'd Anger from his Subjects; as also to the King of France, that he would vouchsafe to do the same; and lastly to the Princes of the Reformed Religion, to the end they might understand our sentiments concerning so fell and savage a piece of Cruelty. Which though first begun upon those poor and helpless People, however threatens all that Profess the same Religion, and therefore imposes upon all a greater necessity of providing for themselves in general, and consulting the common Safety; which is the course that we shall always follow, as God shall be pleas'd to direct us. Of which your Highness may be assur'd, as also of our sincerity and affection to your Serenity, whereby we are engag'd to wish all prosperous success to your Affairs, and a happy issue of all your Enterprizes and Endeavours, in asserting the Liberty of the Gospel and the Worshippers of it.

White-Hall, May 1655.¹⁰⁴

Oliver Protector, &c. to the High and Mighty Lords, the States of the United Provinces.

We make no question but that you have already bin inform'd of the Duke of Savoy's Edict, set forth against his Subjects Inhabiting the Valleys at the feet of the *Alps*, Ancient Professors of the Orthodox Faith; by which Edict they are commanded to abandon their Native Habitations, stript of all their

¹⁰⁴ Milton, *Works* (*Columbia*), xiii, no. 52; translation also in Symmons, *Milton*, iv, 380-82; Latin in Milton, *Works* (*Columbia*), xiii, no. 52; contemporary copy dated May 31, 1655, in *Rawl. MSS. A261*, f. 46-7; Latin also printed in Symmons, *Milton*, vi, 8-10, and in Vischer's ed. of Leti, ii, 265, dated July 23, 1655.

fortunes, unless within Twenty days they embrace the *Roman Faith*; and with what Cruelty the Authority of this Edict has rag'd against a needy and harmless People; many being slain by the Soldiers, the rest Plunder'd and driven from their Houses together with their Wives and Children, to combat Cold and Hunger among desert Mountains, and perpetual Snow. These things with what commotion of Mind you heard related, what a fellow-feeling of the Calamities of Brethren pierc'd your breasts, we readily conjecture from the depth of our own Sorrow, which certainly is most Heavy and Afflictive. For being engag'd together by the same tye of Religion, no wonder we should be so deeply mov'd with the same Affections upon the dreadful and undeserved Sufferings of our Brethren. Besides, that your conspicuous Piety and Charity toward the Orthodox where-ever overborn and oppress'd, has bin frequently experienc'd in the most urging straits and calamities of the Churches. For my own part, unless my thoughts deceive me, there is nothing wherein I should desire more willingly to be overcome, then in Good will and Charity toward Brethren of the same Religion afflicted and wrong'd in their quiet Enjoyments; as being one that would be accounted always ready to prefer the Peace and Safety of the Churches before my particular Interests. So far therefore as hitherto lay in our power, we have Written to the Duke of Savoy, even almost to Supplication, beseeching him that he would admit into his breast more placid thoughts and kinder effects of his Favour toward his most Innocent Subjects and Suppliants; that he would restore the Miserable to their Habitutions and Estates, and grant 'em their pristin freedom in the Exercise of their Religion. Moreover we Wrote to the chiefest Princes and Magistrates of the *Protestants*, whom we thought most nearly concern'd in these matters, that they would lend us their Assistance to intreat and pacifie the Duke of Savoy in their behalf. And we make no doubt now but you have done the same, and perhaps much more. For this so dangerous a president, and lately renew'd severity of utmost Cruelty toward the Reformed, if the Authors of it meet with prosperous Success, to what apparent dangers it reduces our Religion, we need not admonish your Prudence. On the other side, if the Duke shall once but permit himself to be atton'd and won by our united Applications, not only our Afflicted Brethren, but we our selves shall reap the noble and abounding Harvest and Reward of this laborious Undertaking. But if he still persist in the same obstinate Resolutions of reducing to utmost extremity those People, among whom our Religion was either disseminated by the first Doctors of the Gospel, and preserv'd from the defilement of Superstition, or else restor'd to its Pristin sincerity long before other Nations obtain'd that felicity; and determins their utter extirpation and destruction; we are ready to take such other Course and Counsels with your selves, in common with the rest of our Reformed Friends and Confederates, as may be most necessary for the preservation of Just and Good men upon the brink of inevitable Ruin, and to make the Duke himself sensible, that we can no longer neglect the heavy Oppressions and Calamities of our Orthodox Brethren. Farewel.¹⁰⁵

[May. 25. 1655.]

¹⁰⁵ Milton, *Works* (Columbia), xiii, no. 54; translation also in Symmons, *Milton*, iv, 383-85; Morland, pp. 558-60; Latin original in *Algemeen Rijksarchief*, St. Gen. 6915, at the Hague; French translation from the original in *Rev.*

The last week of May, 1655, saw the accumulation of a mass of detail which revealed the multifarious activity of the Protector and his Council. That business was of the most diverse nature — complaints of London merchants of the harshness of the customs officers, which produced a Council committee to investigate the situation;¹⁰⁶ petitions from rival factions in Colchester over a local election;¹⁰⁷ from Newcastle over a patent for charking coals;¹⁰⁸ from Motcombe about keeping a minister there;¹⁰⁹ from a master-gunner¹¹⁰ for arrears of pay;¹¹¹ and, in particular one from Frenchmen fishing near Newfoundland on the curious ground that they would not be prejudicing the English "who are not accustomed to that kind of fishing,"¹¹² and from the Cony counsel, who were promptly set at liberty.¹¹³ Nieupoort appeared again in behalf of the seizure of the salt ship for Edam and other vessels,¹¹⁴ and finally came the appointment of various militia officers¹¹⁵ and the issue of a commission to Desborough,¹¹⁶ who was, in fact, already in command of the forces in the six counties mentioned.

Oliver lord protector of the commonwealth of England, Scotland, and Ireland, and the dominions thereunto belonging, to our right trusty and well-beloved major general John Disbrowe, greeting.

We reposing special trust and confidence in your fidelity, discretion, courage, experience, and conduct in military affairs, do hereby constitute and appoint you the said major general Disbrowe to be major general of all the militia forces raised and to be raised within the counties of Cornwall, Devon, Somerset, Dorset, Wilts, and Gloucester; which said forces you are by virtue of this commission to receive into your charge as major general, and the same

des Rev., xxxiii, 226-27 (see *Bibliog. of O. C.*, no. 2977); Latin printed in Milton, *Works* (*Columbia*), xiii, no. 54; also in Symmons, *Milton*, vi, 11-12; Morland, pp. 558-60, dated 25 May; Skinner Transcripts dated June 1655 (Hamilton, *Original Papers*, p. 15).

¹⁰⁶ *Cal. S. P. Dom.* (1655), p. 189.

¹⁰⁷ *Ibid.*, pp. 202-3.

¹⁰⁸ *Ibid.*, p. 171, 191; Thurloe, iii, 496.

¹⁰⁹ *Cal. S. P. Dom.* (1655), p. 190.

¹¹⁰ *Cp. ibid.* (1653-4), p. 279 (John Watson).

¹¹¹ Sotheby's cat. of J. Pearson coll., June, 1924, no. 190.

¹¹² *Cal. S. P. Dom.* (1655), p. 187.

¹¹³ *Ibid.*, p. 196; *Perf. Diurn.*, June 2.

¹¹⁴ *Cal. S. P. Dom.* (1655), p. 192.

¹¹⁵ *Perf. Diurn.*, May 30.

¹¹⁶ Also commission to Wm. Clare in a foot regiment (*Cat. Anderson Galleries*, Feb. 1923 and May 1928); another appointing Robert Scoulden ensign for the flotilla about to sail under the command of Capt. Thos. Barrett (*Cat. of Wm. F. Gable Coll.*, pt. 3 (Feb. 13, 1924), item 286); another cal. in Pearson's cat. 1920, sold by Sotheby in June 1924. Still another appointing Col. Jos. Hawkesworth captain of a troop of 100 horse to be voluntarily enlisted under him in Warwick county (E. Carey-Hill, "The Hawkesworth Papers," *Birmingham Arch. Soc. Trans.*, liv (1932), 19, 36).

to train and exercise in arms, and to command, lead, and conduct for the service of us and the commonwealth, keeping them in good order and discipline. And all officers and soldiers of the said forces are hereby required to obey you as their major general for the said service. And you are to observe and follow such directions as you shall from time to time receive from ourself. Given at Whitehal the 28th day of May 1655.

OLIVER P.¹¹⁷

To these was added an audience to several slaves from Algiers who came to thank him for their release, as one of the first fruits, apparently, of Blake's Mediterranean expedition;¹¹⁸ and finally, before he went to Hampton Court on Friday, he knighted Sheriff Copplestone of Devonshire¹¹⁹ who had had a share in the suppression of the Penruddock rising. It appears also that he presented the sheriff with the sword by which the honor was conferred. That event still played its part in the affairs of the government. Orders had been given to ship prisoners to foreign plantations;¹²⁰ further arrests were made; one Francis Jones, then in prison, wrote to Thurloe to express appreciation of the Protector's leniency and the hope that his imprisonment would soon end;¹²¹ and Cromwell's spy, Henderson, then in Hamburg, wrote to resign his post and express his desire to serve again if need arose.¹²² It was at this moment, too, that Edmund Waller, long an exile in France, who had been spared at least once by Cromwell's intervention from punishment for conspiracy, repaid his protector by a panegyric. This, though inferior to Marvell's poem celebrating the first anniversary of the Protectorate published in this same year, received far more contemporary acclaim on account of its authorship. From Marvell such a work might have been expected, for he was a follower of the Protector; the tutor of the youth William Dutton, who had been entrusted to his care by Cromwell; and presently became Milton's colleague as Latin secretary. But Waller had been involved in a plot known by his name to seize London for the King, had been expelled from the House, fined and banished.

¹¹⁷ Thurloe, iii, 486. Council order, appr. Aug. 2, in *Cal. S. P. Dom.* (1655), p. 267.

¹¹⁸ *Perf. Diurn.*, May 30.

¹¹⁹ W. A. Shaw, *Knights of England* (1906), ii, 223; *Parl. Hist.*, xxi, 221. For his visit to Hampton Court see *Perf. Diurn.*, June 2; *Clarke Papers*, iii, 42.

¹²⁰ *Perf. Diurn.*, May 30.

¹²¹ Thurloe, iii, 504.

¹²² *Ibid.*, p. 493. On May 28, it appears that Benson, Pearson and Aldam were with the Protector and delivered papers to him "concerning our Friends imprisonment; and they spoke to him of many things; he was very moderate and promised to read the papers," (Alex. Parker to Marg. Fell, May 29, in *Friends' Library*, xi, 335). But in June or July Fras. Howgill wrote her that the letters to Cromwell "are both delivered into his hand; but he is full of subtlety and deceit, will speak fair, but he hardens his heart, and acts secretly underneath." (*Ibid.*)

He had now changed sides and that change indicated, among other things, that some Royalists, at least, were prepared to accept the situation, even, as Waller did later, to take office under the Protector.

In this comparative lull in domestic affairs, the Protector turned once more to consider the foreign situation. In the matter of the Piedmont incident, apart from the collection of funds for the sufferers,¹²³ the despatch of Morland, and the letters he had written to continental rulers, there was little he could do for the moment. The affair gave Nieupoort an opportunity for an audience and Cromwell a further excuse to put off Bordeaux.¹²⁴ Louis XIV had written the day after Morland had arrived at La Fère on his way to Savoy to say that he had done his best to intercede with the Duke,¹²⁵ but his letter failed to persuade the Protector to let the matter drop. In the meantime the Venetian authorities decided to send Sagredo and Giustinian from France to England, possibly in connection with the failure of the Marquis de Leda's negotiation with Cromwell, possibly with regard to the Piedmont massacre or Blake's mission, but certainly indicating the new importance of England in Mediterranean affairs.¹²⁶ At the same time it appeared that the Western Design was meeting with difficulties, for Searle complained that Venables was usurping authority over the militia which rightly belonged to the governor of Barbados.¹²⁷

Searle's complaint was only one instance of the extent and complexity of the business which pressed on the Protector from every quarter of his wide-flung interests in the midst of great problems of policy. Before the Council met on Tuesday, he took occasion to refer to it "the humble desire of Com: Gen: Whalley to have money for his donative in Scotland out of the Scotch fines, as others are to have, notwithstanding he hath omitted to put in his claim according to the time formerly pre-fixt,"¹²⁸ which indicates, among other things, that the Scottish Philistines were being spoiled for the benefit of their Independent masters in much the same fashion as the English. At the same time the Protector referred other petitions of the despoiled to the Council, including that of James, Lord Coupar, for the discharge of his Scotch fine;¹²⁹ and a like

¹²³ Capt. Jno. Bourne to Blackborne, *Cal. S. P. Dom.* (1655), pp. 184-5.

¹²⁴ Chanut to Bordeaux, Hague, June 1/11, Thurloe, iii, 498.

¹²⁵ Louis' letter in *Perf. Diurn.*, June 25; also in Guizot, *Cromwell*, ii, 434-5; in French archives with corrections in Mazarin's hand (*39th Rept. Dep. Keeper Pub. Records*, p. 711).

¹²⁶ Letter of credence to Cromwell with letter to Sagredo and Giustinian in *Cal. S. P. Ven.* (1655-6), pp. 64-5; see also order to Sagredo, May 26/June 5, *ibid.*, p. 61; and intelligence from Brussels, June 2/12, Thurloe, iii, 502.

¹²⁷ June 1, *ibid.*, pp. 499-500.

¹²⁸ *Cal. S. P. Dom.* (1655), p. 197. Dated June 4, 1655, in *S. P. Dom.* 18/98, no. 6, p. 61.

¹²⁹ *Cal. S. P. Dom.* (1655), p. 197. Read in Council June 5.

appeal from John, son of Sir Christopher Bellew; ¹³⁰ together with a request from Darell, auditor of the Exchequer, for £50 for auditing the accounts of the commissioners for managing the confiscated estates.¹³¹ The Council also acted on two suggestions from the Protector, dated May 2 — that Blackwell, jun., Deane and Rowe demand from one John Aylwin the money advanced to him for corn and discharge him;¹³² and that one Chetwind be paid for transcribing the accounts for England and Scotland, out of the money to be extracted from Aylwin.¹³³

From these small but irritating matters connected with the management of the details of English and especially Scottish administration, Protector and Council turned to greater affairs. Immediately following their appointment of a committee to hear the claims of the East India Company against the £85,000 indemnity paid in by the Dutch and the committee's report,¹³⁴ the Protector issued a warrant to Viner and Riccard who had been appointed to hold the sum pending the settlement of internal difficulties of the Company, to receive £3,615 from the Dutch ambassadors for losses sustained in the Amboyna incident, in accordance with the treaty, and to distribute it in accordance with this order:

*To our trusty and wellbeloved Sir Thomas Viner, knt. and
Andrew Ricard, Aldermen of our Citeie of London*

OLIVER P.

Whereas in the thirtieth article of the Treaty of Peace lately made and concluded between us and the Lords the States General of the United Provinces It is agreed, That Commissioners be nominated on both sides, and authorized to examine and determine all the losses and injuries which either side should allege to have sustained from the other, as well in the East Indies, as elsewhere; Which Commissioners being so nominated, and authorized accordingly (after several meetings had between them) have determined and awarded, That the sum of Three Thousand six hundred and fifteen pounds be paid to the heirs, executors and administrators of the several persons deceased named in the Instrument of Award aforesaid: And whereas We are given to understand that since the publishing of the said Award (the said moneys being ready to be paid) some doubt hath arisen concerning the persons to whom the said moneys are payable, for that some of them in the said Award named have pretended, or may pretend themselves to be executors or administrators of the deceased, and are not so; as one James Bayles hath done, who (as we are informed)

¹³⁰ Property sequestered (*Complete Peerage*, ii, 101). See *Cal. S. P. Dom.* (1655), p. 198, for petition. This may be the John Bellew noted in "List of Transplanted Irish" as of Wilstowne, co. Louth, and/or of Castletowne, co. Louth (*Hist. MSS. Comm. Reps.*, *Ormonde MSS.*, ii, pp. 119, 121).

¹³¹ *Cal. S. P. Dom.* (1655), p. 198. Cp. *ibid.*, p. 605.

¹³² *Ibid.*, p. 200.

¹³³ *Ibid.*, pp. 200-1, 605.

¹³⁴ Committee appointed June 5; Thurloe, iii, 515; Foster, *Court Minutes*, v, 33; their report in Thurloe, iii, 515-17.

pretended himself administrator of the goods of Ephraim Ramsey in the Award named, where in truth the administration of those goods was never committed to him, but to one George Graden and his wife, and Katherin Pringle alias Ramsey; who are thereby intitled to the sum of Three hundred and fifty pounds payable by the said Award, to the administrators of the said Ephraim Ramsey. Upon consideration of the premisses, We have thought fit to declare our will and pleasure to be; And We do hereby authorize and command you Sir Thomas Viner knt. and Andrew Ricard merchant, Aldermen of our City of London (in whose fidelity, prudence, and circumspection We repose much confidence) That you forthwith demand and receive of and from the Lord Ambassador Extraordinary of the said Lords the States General or such person or persons as he, or the Dutch East India Company hath appointed, or shall appoint to pay the same, the said sum of Three Thousand six hundred and fifteen pounds in the said Award mentioned for satisfaction of the damages alleged to have been sustained in the East Indies by the several persons in the said Award named from the People of the United Provinces; And to pay the same to the true and undoubted heirs, executors, and administrators of the deceaseds, according to the several distributions in the said Award limited; They giving sufficient releases and acquittances upon their receipt thereof. And because We are well satisfied (as the truth is, and hath so appeared to John Exton and William Turner Doctors of Lawes; William Thompson Alderman of our City of London, and Thomas Kendall merchant, Commissioners named by Us in the premisses) That the persons hereafter, and in the said Award mentioned, that is to say William Towerson administrator of Gabriel Towerson, to whom the sum of seven hundred pounds is payable; Jane Webber alias Forbes administratrix of George Sharrock to whom the sum of One hundred and fifty pounds is payable; John Collins and Elizabeth Collins, alias Brackley, to whom the sum of Four hundred sixty and five pounds is made payable (they being mentioned) as children and heirs of Edward Collins; Glyde Beaumont Administrator of John Beaumont to whom the sum of Three hundred pounds is payable, and Jane Webber administratrix of William Webber to whom the sum of Two hundred pounds is payable; as also the said George Graden and his wife, and Katherin Pringle alias Ramsey are sufficiently intitled to the said several sums herein before and in the said Award mentioned, and so certified by the said Commissioners so (as aforesaid) named by Us. Our will and Command therefore is, That you the said Sir Thomas Viner and Andrew Ricard do forthwith upon your receipt of the said moneys pay unto them respectively the said several sums before mentioned. And as for any other person or persons who now do, or shall hereafter pretend Title to any more of the said moneys; Our will, and pleasure is, That the residue of the said moneys do still remain in deposit in your hands to be paid to such persons as shall be well approved of by the said Commissioners (so named by us) or any three of them, and certified by them or any three of them to be fit and capable persons in Law, and intended by the said Award to receive the same, to the end the true intent and meaning of the said Award be not eluded; And further, We will, and command, that you receive into your hands and custody a certain Instrument or deed in writing bearing date the 28th of April last, and purporting an Acquittance or Receipt of the said Three

thousand six hundred and fifteen pounds by the persons qualified to receive the same in full satisfaction of and for the damages aforesaid; (which deed is already duly executed by some of the persons above named in the presence of the said Commissioners) And the same deed to keep in your hands until all the persons therein concerned have executed the same. And when it shall be fully executed by all and every of the said persons, Then to deliver it over into the hands of the said Lord Ambassador, or such other person or persons as shall be lawfully authorized to receive the same, either by the said Lords the States General, or the Lord Ambassador resident, or the Dutch East India Company, to the end it may remain with them for their discharge. And for so doing this shall be your sufficient warrant. Given under our signe manual at Whitehall the sixth day of June 1655.¹³⁵

In such fashion the long controversy over the "Massacre of Amboyna" of 1623 embarked on its final stage. The military and diplomatic phase was over; what remained was the business of the energetic goldsmith-banker supporters of the Protector who played so large a part in the affairs of the government, the East India Company, and now, like Viner and Packe, in the collection and administration of the fund for the relief of the Piedmont Protestants. But this was not the only great concern of the moment. It was reported on Wednesday, when Cromwell attended the Council, that it was sitting "very close upon the great business hinted last week."¹³⁶ That business was, in all probability, the great question of the Chancery Court, for about six o'clock that evening the Keepers of the Great Seal, who had refused to carry out the Protector's ordinance, attended him to come to a decision in the matter.¹³⁷

It involved one of the greatest problems of the time.¹³⁸ The Nominated Parliament had been determined to abolish the Court of Chancery and on August 5, 1653, had voted without division to do away with that body, to order the Committee on Law to bring in an Act to that effect, an Act to dispose of the causes depending there, and an Act for future relief in equity cases. On November 5 the bill was read for a second time. It provided for the abolition of the Court, for the constitution of judges and commissioners to hear cases in equity, and for the reform in the abuses of the common-law courts. But the amendments offered to the bill were unsatisfactory to the Commons' reformers. There ensued a long controversy; and by a series of compromises there was eventually framed the Protector's ordinance which was issued on August 21, 1654. That had become the subject of long and often bitter debate in the legal fraternity, which was in the main opposed to it. Their opposition was

¹³⁵ Signature only is Cromwell's. Superscription: "His Highness order for receiving the 3615 l. for losses in Amboyna By the Dutch." The original is in the Library of Congress in Washington, D. C.

¹³⁶ *Perf. Diurn.*, June 6.

¹³⁷ *Cal. S. P. Dom.* (1655), p. 200; Whitelocke, p. 626.

¹³⁸ For a full account see Inderwick, *Interregnum*, pp. 222 ff.

reflected in the attitude of the Keepers or Commissioners of the Great Seal, who on May 1, 1655, drew up a joint letter refusing to carry out its provisions, Lenthal protesting that "he would be hanged at the Rolls-Gate before he would execute it."¹³⁹ But despite his brave words he was sworn in as one of the six Masters in Chancery appointed by the ordinance, and "wheeled about" to support it. Whitelocke and Widdrington persisted in their opposition on the ground that it would be detrimental to the public interest and contrary to their oath of office. This left the Protector and Council in a difficult position. They could not well withdraw the ordinance, and there was but one alternative — to dismiss the objectors. In consequence when they were summoned before the Protector, bringing the Great Seal with them, there ensued an important interview, which Whitelocke records:

The Protector gravely told us; "That he was sorry some of us could not satisfy our own Consciences, to execute the Ordinance concerning the Chancery, which they were inform'd had much good in it to the Publick, but he confessed that every one was to satisfy himself in Matters to be perform'd by him, and that he had not the worse Opinion of any Man for refusing to do that whereof he was doubtful; but in this particular the Affairs of the Commonwealth did require a Conformity of the Officers thereof, and their Obedience to Authority, and (being some of us refused to execute this Act, as was enjoined) they were compell'd thereby to put this Charge of the Custody of the Great Seal into the Hands of some others, who might be satisfy'd that it was their duty to perform this Command, and to put the Ordinance in Execution."¹⁴⁰

This was perhaps the most serious decision Whitelocke ever took, though he had often not seen eye to eye with the Protector, and it revealed, among other things, that not all the Protectoral authority could prevail against the tradition of English legal procedure. He commented that the ordinance was contrary to his judgment and conscience, and not "agreeable to law," and though he lost his post, he wrote, "I bless God I never had cause to repent of this action." Widdrington went with him and their places were supplied by Fiennes and Lisle.¹⁴¹ But though what the Protector called "Authority" was thus victorious, it widened the breach between it and the legal profession, whatever the merits or demerits of the controversy.

This was not all of the differences between the Protector and the lawyers, for Rolle, who had not hesitated to preside over the trials of the

¹³⁹ Whitelocke, p. 626. ¹⁴⁰ *Ibid.*, and *Cal. S. P. Dom.* (1655), p. 200.

¹⁴¹ Other new appointments included that of Lisbon, once a Master of Requests, as Recorder (*Perf. Diurn.*, June 6), to replace Steele who was made chief baron of the Exchequer (*ibid.*, May 28); and that of Lambert as Warden of the Cinque Ports (*Clarke Papers*, iii, 42; *Perf. Diurn.*, June 9). The Seal was apparently not delivered until June 8 (Whitelocke, pp. 626-27); *Clarke Papers*, iii, 43, says Friday morning; cp. *Perf. Diurn.*, June 9.

Penruddock insurrectionists, found it incompatible with his legal conscience to try the case of the recalcitrant merchant Cony, resigned and was replaced by the more complaisant Glyn,¹⁴² while Cony, seeing that his case was hopeless under these conditions, submitted and paid his fine.¹⁴³ Again "Authority" triumphed and Paulucci pointed out the significance of this incident in that any further confusion of justice might lead to the assumption of the legislative as well as the executive function and the possibility of the Protector's taking new power or a new title.¹⁴⁴ Bordeaux reported, on the other hand, that fresh troops had been summoned "in case any should hinder him" in assuming the legislative power,¹⁴⁵ which is in accord with a report earlier in the week that the officers might issue a declaration conferring the legislative power on the Protector,¹⁴⁶ and another that a council of officers was called to consider making him "Emperor."¹⁴⁷ All in all, it seemed that this was much ado about nothing, for Cromwell had, in effect, if not full legislative power, at least the prerogative of issuing ordinances with the force of law, in connection with a Council which he dominated, and of adjusting the judiciary to suit his purposes. Beyond that it is difficult to see how the formal bestowal of authority or a new title could go further toward making him what, in fact, he already was — a dictator.

To this succeeded, amid a mass of minor business,¹⁴⁸ further consideration of foreign affairs. Upon a suggestion in the Council that an agent be sent to Sweden with the ratifications of the treaty, for that purpose Cromwell selected his kinsman and gentleman of the bed-chamber, Edward Rolt, who was later despatched accordingly.¹⁴⁹ This followed immediately a request from the Swedish emissary, Bonnel, for a private audience with the Protector.¹⁵⁰ It may have been in connection with Coyet's request for enlistments in Scotland for Swedish service,

¹⁴² *Perf. Diurn.*, June 9; *Dict. Nat. Biog.*, "Rolle."

¹⁴³ Ludlow, *Memoirs*, i, 413; *Clarke Papers*, iii, 42; Nieupoort to States General, June 8/18, *Add. MSS.*, 17677 w. fol. 110b.

¹⁴⁴ Paulucci to Sagredo, June 12/22, *Cal. S. P. Ven.* (1655-6), pp. 68-9.

¹⁴⁵ Bordeaux to his father, June 4/14, Thurloe, iii, 511-12.

¹⁴⁶ Paulucci to Sagredo, June 4/14, *Cal. S. P. Ven.* (1655-6), pp. 65-6; Royalist letter June 7/17, *Nicholas Papers*, ii, 353-54.

¹⁴⁷ Paulucci to Morosini, June 4/14, *Ven. Trans. R. O.*

¹⁴⁸ License for Bordeaux to send six horses custom free to Mazarin (*Cal. S. P. Dom.*, 1655, p. 588); warrant Frost to Embree for £2,500 for repair of six of the Protector's houses (*ibid.*, p. 605); secret order to Admiralty Commissioners for 13 weeks' victuals for 3,500 men for Blake, costing £12,951 (*ibid.*, pp. 202, 205); license for 20 tuns of Spanish and 15 tuns of French wine, custom free, for the Protector's household (*ibid.*, p. 588); June 9 a petition from Hugh Shaw, agent of Viscount Montgomery of Ards to compound (*Cal. S. P. Ire.*, 1647-60, pp. 585-86; cp. vol. ii of this work, pp. 622-23).

¹⁴⁹ *Cal. S. P. Dom.* (1655), p. 199; *Clarke Papers*, iii, 42; *Perf. Diurn.*, June 9.

¹⁵⁰ G. Dury to Thurloe, June 5, Thurloe, iii, 517.

which Thurloe told Nieupoort had been refused,¹⁵¹ but more probably it was in connection with the business of the Piedmontese Protestants for whose relief Nieupoort was promised English co-operation with the States General and a deputation to the Duke.¹⁵² The Protector also told the Dutch ambassador of the answer from Louis XIV to his demand for an explanation of the French share in the Piedmont massacres,¹⁵³ which was sent by Morland together with a letter from Mazarin.¹⁵⁴ The French court, it appears, was convinced that even had the Savoy business not come up, Cromwell would have found some other excuse for not signing the treaty with France, and most people in Paris were reported as using opprobrious language in regard to the Protector, though some — probably Huguenots — commended him for his zeal and activity in religious matters,¹⁵⁵ which some people in Rome — again probably Protestants — were reported to consider “gallant proceedings.”¹⁵⁶ And that his activity in the matter was not confined to words, though words were not wanting, he took this occasion to send to the Consuls and Senators of Geneva £2,000 for the relief of the Vaudois with a covering letter:

Oliver Protector of the Commonwealth of England, &c. to the most Noble the Consuls and Senators of the City of Geneva.

We had before made known to your Lordships our excessive Sorrow for the heavy and unheard of Calamities of the Protestants Inhabiting the Valleys of *Piemont*, whom the Duke of *Savoy* Persecutes with so much Cruelty, but that we made it our business that you should at the same time understand, that we are not only affected with the multitude of their sufferings, but are using the utmost of our endeavours to Relieve and Comfort 'em in their distresses. To that purpose we have taken care for a gathering of Alms to be made throughout this whole Republick; which upon good grounds we expect will be such, as will demonstrate the affection of this Nation toward their Brethren labouring under the burthen of such horrid Inhumanities; and that as the Communion of Religion is the same between both People, so the sence of their Calamities is no less the same. In the mean time while the Collections of the Money go forward, which in regard they will require some time to accomplish, and for that the Wants and Necessities of those deplorable People will admit of no delay, we thought it requisite to remit beforehand Two thousand Pounds¹⁵⁷ of the Value of *England*, with all possible speed to be distributed

¹⁵¹ Nieupoort to de Witt, June 8/18, De Witt, *Brieven*, iii, 71.

¹⁵² Nieupoort to Ruysch, June 8/18, Thurloe, iii, 527-28.

¹⁵³ *Ibid.*, p. 528.

¹⁵⁴ Morland to Thurloe, Paris, June 8/18, *ibid.*, pp. 531-32. Morland may have been referring to Louis XIV's letter of a later date than the one from La Fère.

¹⁵⁵ Intelligence from Paris, June 6/16, *ibid.*, p. 520.

¹⁵⁶ Intelligence from Rome, June 4/14, *ibid.*, p. 508.

¹⁵⁷ Thurloe says that Cromwell sent £2000 out of his own purse and that the collection would take place that week (Thurloe to Pell, June 8, Vaughan, *Cromwell*, i, 192).

among such as shall be judg'd to be most in present need of Comfort and Succour. Now in regard we are not ignorant how deeply the miseries and wrongs of those most innocent people have affected your selves, and that you will not think amiss of any Labour or Pains where you can be assisting to their Relief, we made no scruple to commit the Paying and Distributing this Sum of Money to your Care; and to give ye this farther trouble, that according to your wonted Piety and Prudence, you would take care that the said Money made be distributed equally to the most Necessitous, to the end that though the Sum be small, yet there may be something to Refresh and Revive the most Poor and Needy, till we can afford 'em a more plentiful Supply. And thus, not making any doubt but you will take in good part the trouble impos'd upon ye, we beseech Almighty God to stir up the hearts of all his People Professing the Orthodox Religion, to resolve upon the common Defence of themselves, and the mutual Assistance of each other against their imbitter'd and most implacable Enemies: In the prosecution of which we should rejoice that our helping hand might be any way serviceable to the Church. Farewel.

Fifteen hundred Pounds of the foresaid Two thousand will be remitted by Gerard Hench from Paris, and the other Five hundred Pounds will be taken care of by Letters from the Lord Stoup.¹⁵⁸

June [7.] 1655.¹⁵⁹

In connection with the Piedmontese problem and its resultant diplomatic issues, Nieupoort acquainted Cromwell with the resolutions taken by the States General in the matter of the persecutions and with the orders sent to Boreel to intercede. To his suggestion that Cromwell give similar orders to facilitate the intercession, the Protector answered:

"that it was exceeding pleasing and acceptable to him, to observe, that their High Mightinesses, with such a great and Christian zeal, took this affair to heart; and that he still assured me, that he was ready to hazard his life and all that was dear and valuable to him in this world, in such a cause, and for the defence and free exercise of the Protestant religion, and for the disappointment of all whatever the papists might devise against the same, or for the oppression thereof; not (as he told me) out of any worldly considerations, but because he was of opinion, that he and all other good Christians were obliged, before God and in their consciences, to oppose all the like persecutions. Further he told me, that he thought it serviceable, that their High Mightinesses would likewise send one thither, since he had dispatch'd already a gentleman to the duke of Savoy for that purpose, and would willingly send orders after him to concert matters, and correspond with him, whom their High Mightinesses shall think fit to send thither, to promote the said affair and interest, and to bring the same to a happy conclusion. Lastly, he desired me to assure your High Mightinesses, in his name, that he was ready to contribute every thing to what

¹⁵⁸ A well-known travelling agent of Cromwell and Thurloe.

¹⁵⁹ Milton, *Works* (Columbia), xiii, 189, 191, 193 (#59); translation also in Symmons, *Milton*, iv, 390-91; Latin original in Geneva Archives, copy in Turin; printed in Milton, *Works* (Columbia), xiii, 188, 190, 192, and in Vischer's ed. of Leti, ii, 279.

their High Mightinesses should think proper and of service. He told me further, that he had received an answer to his letter from France; but that he was assured from several parts, that without the concurrence of some ministers, and the troops of that crown under the count de Quincy, it never would have been committed." Nieupoort expressed the hope that the French treaty would soon be concluded, for the Dutch were suffering considerably because of the pretended reprisals against the French. "The Lord Protector answered, that he had not been in the fault, but all the circumstances in the said affair of Piedmont, in relation to the intention of France, gave him great suspicion: however, as to the complaints of their High Mightinesses' subjects, that he would give his orders to remedy the same, and that I had no occasion to make any scruple, from time to time, in case any thing happened, to speak to him about it." Nieupoort expressed the hope that commissioners would be appointed to discuss the case of the Netherland ships seized near the Caribbee islands, apparently illegally. Cromwell "promised that he would nominate commissioners for that purpose, and desired Mr. Thurloe, who alone was present, to remember him of it."¹⁶⁰

To this he added on the next day a letter to the Dey of Algiers in regard to the settlement of the estate of one Edward Casson, long resident there, with some diplomatic or consular status:

To the Thrice Illustrious, thrice noble and right worthy the Aga Captain General, his brethren the Agabashes, &c.

MOST ILLUSTRIOUS,

Whereas Edmond Casson was in the year 1646 sent over to Algeir as Agent for the Parliament of England and was there resident until the 5th day of December last at which time he died in Algeir aforesaid: After whose death as hath been informed Us the Duanna of Algeir did cause the goods of the said Edmond Casson and what else was in his house at the time of his death to be inventoried and committed to the custody of John Roach and Abraham Smedmore his servants who yet remain there, who were ordered by the said Duanna not to deliver the same to any but to such as should be impowered from this Commonwealth to receive the same, And whereas Elizabeth Bagnall widow, the only sister of the said Edmond Casson hath taken Letters of Administration of the goods & Chattels of the said Edmond her brother deceased and thereby is according to the laws of England entitled to all the estate of the said Edmond Casson and hath humbly besought Us that we would vouchsafe unto her Our gracious letters of recommendation unto the said Duanna to the end she may receive the goods and debts belonging to her said brother at the time of his death, We therefore out of Our desire that all the good people of this Commonwealth may enjoy their rights, have thought fit to signify unto the said Duanna Our resentment of their great care and endeavor that justice might be done in the premisses and do hereby desire that the said Duanna would be pleased to give order that all the goods and what else did belong to the said Edmond Casson at the time of his death as also such debts as were justly owing there unto him may be delivered over and paid unto Richard

¹⁶⁰ Nieupoort to Ruysch, June 8/18, Thurloe, iii, 527-8.

Casson whom she hath herewith sent over and authorized for that purpose. So shall the said Duanna perfect their former good intentions and do a respect which will be acceptable unto Us, who shall be ready to return the like upon all occasions.

Given at Our Court at Westminster, the 8th day of June, 1655.

Your good friend,

OLIVER P.¹⁶¹

Whatever Cromwell achieved and by whatever means he accomplished it, he had "made England great and her enemies tremble," and if those enemies were in part at least of his own making, he had become dreaded as well as hated through a great part of the Continent. Nothing evidences this more than the rumors of his doings and his intentions which found their way to Thurloe's office in these days. It was said that the Netherlands would try to make an alliance with England and Denmark, in addition to their alliance with Brandenburg, to maintain Poland;¹⁶² that the creditors of the Queen of Bohemia would appeal to him to pay her debts;¹⁶³ that in his audience with the Marquis de Lede, Cromwell "did scarce remove his hat,"¹⁶⁴ which seemed to indicate that he would not treat with Spain unless he could get his way about Spanish trade and the Inquisition. It was said, on the other hand, that he dismissed Lede with every show of friendliness, but no sign that he would modify his demands.¹⁶⁵ Of all this, however, there was no sign in the letter which he now addressed to Philip IV:

To Philip IV

Most Serene and most Potent King,

Marquis de Leda, Commander of your Majesty's fleet on the coast of the Low Countries and your envoy extraordinary to us will doubtless set forth more at length to your Majesty how pleasing it was to us that your Majesty offered this testimonial of friendship and ready good-will to us by sending to us an extraordinary embassy to congratulate us on the conferring on us of the supreme dominion of this Commonwealth; and also how highly we with

¹⁶¹ Copy in *Rawl. MSS. A261*, pp. 47-47v. Pr. in Thurloe, iii, 500, where it is dated June 1. Noted in Lomas-Carlyle, Suppl. 106 under that date. The Rawlinson copy may, of course, have been made later, and dated accordingly, though that seems less probable. Casson had negotiated a treaty with Algiers in 1646, having been sent out "as agent to Argier . . . for . . . renewing the ancient Peace" (*C. J.*, iv, 243, Aug. 15, 1645). Sent to Barbary states to negotiate the release of English prisoners and secure immunity of English vessels (J. Corbett, *England in the Mediterranean* (1904), i, 301).

¹⁶² Intelligence, Thurloe, iii, 525; cp. *ibid.*, pp. 544, 552-53.

¹⁶³ *Ibid.*, p. 526.

¹⁶⁴ Longland to Thurloe, Leghorn, June 8/18, *ibid.*, pp. 526-27; cp. same to same, June 15/25, *ibid.*, p. 550.

¹⁶⁵ Cardenas to Philip IV, June 21/July 1, *Simancas MSS. 2570*, cited in Gardiner, *Comm. and Prot.*, iv, 164.

justification esteem the close connection and friendship of your Majesty. And so true is this that it will be supererogatory to set forth in detail our gratitude or how much we are bound by it to your Majesty. Since indeed the Marquis already mentioned, having fulfilled the public trust which he accomplished with dignity among us, has requested the privilege of returning; we considered ourselves obligated to send him back, with well-deserved compliments, highly recommended to the consideration of your Majesty as having been found outstanding for the sagacious transaction of the business entrusted to him; and to be recommended very highly to your favor, the augmentation of which he has deserved by reason of his conspicuous loyalty, skill, and wisdom. In all else we heartily commend your Majesty to the protection of the divine Grace.

Given from our Court at Westminster, 12th of June 1655

Your Majesty's good friend,
OLIVER P.¹⁶⁶

To the Most Serene and Most Potent Prince,
Philip the Fourth, King of the Spanish Dominions &c.

Whatever his words, everything in the Protector's acts seemed to look toward war with Spain. Blake was putting to sea again under secret instructions, after re-victualling off Cadiz;¹⁶⁷ and from Jamaica, Venables, Butler and Penn were writing that there had been action at St. Christopher's, that the supply-ship had been burned, and that there was urgent need for victuals.¹⁶⁸ In consequence much attention was directed to supplying the forces of the Western Design and a letter was prepared, which was read before the Council on Wednesday, addressed to Blake and enclosing instructions which, among other things, advised him of the necessity of intercepting any assistance sent or to be sent from Spain to protect the West Indies, indicating the fact that the expeditions of Blake and Penn were to all intents and purposes part of one great design:

To General Blake, 'at Sea'

SIR,

I have received yours of the 25th of March, which gives an account of the late transactions between yourself and the Governors of Tunis, concerning the losses which the English have sustained by the piracies of that place; and 'of' the success it hath pleased God to give in the attempt you made upon their shipping, after their positive refusal to give you satisfaction upon your just demands. And as we have great cause to acknowledge the good hand of God towards us in this action, who, in all the circumstances thereof (as they have been represented by you), was pleased to appear very signally with you; so I

¹⁶⁶ Trans. of copy in *Rawl. MSS.*, A261, f. 48; in App. II (35).

¹⁶⁷ Thurloe, iii, 541; Powell, *Blake*, pp. 276 ff.

¹⁶⁸ Venables' letter to Cromwell (Penn returning to England), Thurloe, iii, 545; cp. *ibid.*, pp. 509-11; *Memorials of Penn*, ii, 109-12; Francis Barrington to Sir John Barrington, June 6, 1655, *Hist. MSS. Comm. Rept.* 7, App., p. 571.

think myself obliged to take notice of your courage and good conduct therein, and do esteem that you have done therein a very considerable service to this Commonwealth.

I hope you have received the former despatches which were sent unto you by the way of Legorne, for your coming into Cadiz Bay with the fleet, as also those which were sent by a ketch immediately from hence; whereby you had also notice of three-months provisions then preparing to be sent, and [which] have since been sent away, under the convoy of the frigates the *Centurion* and *Dragon*; and [I] hope they are safely arrived with you, they sailing from hence about the 28th of April.

With this comes further Instructions concerning your disposing of the Fleet for the future, whereunto we do refer you. Besides which, we, having taken into consideration the present design we have in the West Indies, have judged it necessary, That not only the King of Spain's fleets coming from thence be intercepted (which as well your former Instructions as those now sent unto you authorise and require you to do), but that we endeavour also, as much as in us lies, to hinder him from sending any relief or assistance thither. You are therefore, during your abode with the Fleet in those seas, to inform yourself, by the best means you can, concerning the going of the King of Spain's fleet for the West Indies; and shall, according to such information as you can gain, use your best endeavours to intercept at sea, and fight with and take them, or otherwise to fire and sink them; as also any other of his ships which you shall understand to be bound for the West Indies with provisions of war, for the aid and assistance of his subjects there; carrying yourself towards other of his ships and people as you are directed by your general Instructions.

'I rest,

Whitehall, 13 June,
1655.

'Your loving friend,
OLIVER P.¹⁶⁹

But all did not go well with the Protector and his affairs. It was only a few days later that the Earl of Norwich wrote to Secretary Nicholas at Charles II's court, "Questionlesse Cromwell is in huge disorder, as well in his owne bowels as his government,"¹⁷⁰ and though this may have been wishful thinking, there was some substance to the report. The Protector was not well; he had failed a good deal in the past few years and his handwriting showed the shakiness of old age. Apart from the strain of office, he was never free from the dread of plots against his government or his person. Even at this moment, in the face of the failure of the Penruddock rising, fear of another Royalist plot was growing. Seven men were seized at Oxford by two officers, H. Smith and that active pursuer of plotters, Unton Croke,¹⁷¹ to whom Protector

¹⁶⁹ Lomas-Carlyle, CXCVIII, from Thurloe, iii, 547. The despatches Cromwell mentions as having been sent were probably of March 19 (cp. Powell, *Blake*, p. 276). See also Thurloe, iii, 611, and Powell, *Blake*, pp. 277, 299, for dates, and *Cal. S. P. Dom.* (1655), pp. 55, 76, 462, together with notes to this letter in Lomas-Carlyle.

¹⁷⁰ *Nicholas Papers*, ii, 340.

¹⁷¹ Thurloe, iii, 521.

and Council were just now voting £200 a year for his services in the Penruddock business.¹⁷² Royalist meetings were reported in Shropshire and Montgomeryshire;¹⁷³ and the worst feature of the case was that conspiracy was not confined to Royalists or to any particular class. Among the first to be sent to the Tower were Cromwell's old colleague in the eastern counties, Lord Willoughby of Parham, who had turned Royalist; Lord Newport and his brother Andrew, one of the most active of the younger Royalists; Geoffrey Palmer, sometime manager of Strafford's impeachment but later one of Charles I's close advisers; Henry Seymour;¹⁷⁴ and a cooper's assistant in the Tower, one Thomas Venner, a Fifth Monarchist leader of much fame thereafter.¹⁷⁵

For various reasons, probably chiefly because Thursday had been appointed as a fast-day for the Piedmontese martyrs, for whom a collection was then begun, the Council compressed its usual five meetings into three days. It would seem that during this busy period the famous portrait-painter of the revolutionary leaders, Robert Walker,¹⁷⁶ had been painting the Protector's portrait, probably not for the first or the last time. That had not disturbed the course of Cromwell's activities. The Princess of Orange, with unusual penetration, wrote Charles II that she believed the Protector would have peace with France and war with Spain,¹⁷⁷ though there was nothing in the circumstances of the departure of the Spanish ambassador extraordinary, the Marquis de Lede, nor in the letter to Philip IV which he entrusted to the Marquis, to indicate any breach of friendly relations between the two countries. Indeed the Protector gave every sign of friendliness, sending his coach and six white horses, "finer than any English king ever had," to speed the ambassador on his way.¹⁷⁸

It is not probable that either the Marquis de Lede or his master was much deceived by the honors paid to the departing ambassador, for by this time they certainly knew of Blake and of the operations in the West Indies and they probably more than suspected the proposed interception

¹⁷² *Perf. Diurn.*, June 9.

¹⁷³ Letter to Cromwell from Richard Heneage, Thurloe, iii, 530-31.

¹⁷⁴ Nieupoort to States General, June 9, *Add. MSS.*, 17677, w. fol. 13; Gil. Savage's intercepted letter, Thurloe, iii, 537-38; Heath, *Chronicle*, p. 373; *Perf. Diurn.*, June 9; warrants to Barkstead and Dendy, *Cal. S. P. Dom.* (1655), p. 588.

¹⁷⁵ Note to Cromwell from Barkstead, June 6, Thurloe, iii, 520; *Cal. S. P. Dom.* (1655), p. 204.

¹⁷⁶ Order dated June 15, signed by Simon Cannon to Waterhouse to pay Robert Walker £24 for a draught of Cromwell's portrait (*Hist. MSS. Comm. Rept.* 2, App., p. 98).

¹⁷⁷ Thurloe, i, 665.

¹⁷⁸ Cardenas to Philip IV, June 21/July 1, *Simancas MSS.* 2570, cited in Gardiner, *Comm. and Prot.*, iv, 164; *Clarke Papers*, iii, 44; Paulucci to Sagredo, June 18/28, *Cal. S. P. Ven.* (1655-6), p. 73; *Perf. Diurn.*, June 12.

of the Plate fleet. The situation among the northern powers was not dissimilar. In spite of the opposition of the Netherlands to strengthening Sweden, it seemed that Coyet's mission might be successful. On June 15 he wrote Charles X of his audience with the Protector that very day:

The Protector showed himself very grateful that Charles Gustavus intimated to him the reasons for the war and found them quite legitimate, and he expressed the hope that the King of Sweden would be in a better position after the end of this war to further the general Protestant cause; but the Protector did not dare expect this to happen very soon, as he had told Coyet before that he thought the King would not lay down arms soon "in the belief of the great advantage that might be expected through this war." Concerning the recruiting in Scotland, the Protector said "that it grieved him that he would have to withhold his permission as long as he was not in accord with a number of near neighbors, it prevented him from declaring himself more exactly as yet"; and when Coyet remonstrated with him for a long time . . . then he answered as before, but only after an arrogant speech and many declarations of his great inclination toward the King of Sweden and "with the wish that this delay should not be attributed to wavering desire"; "he would be prepared to give Your Majesty such proof that your Majesty's friends would greatly rejoice and all his enemies be greatly affrighted"; the Protector blamed it on the fleet, which was in the West Indies. It would return in about two or three weeks with good reports, as he hoped, and he expected he would be in a position "to offer your great King much more than he would expect of me." He lauded Gustavus Adolphus and his exploits. Concerning the alliance, he wished "on all occasions to discuss with them; however, the reasons for a vague answer at this time were many. Partly, he feared, because the English were of the belief that the King sought a close alliance to protect himself only for the present and that the respect they held for Sweden was therefore somewhat lessened; partly because they might perchance take the occasion to settle upon the advantages in the Baltic and the Swedish trade might recoup the loss to the King's resources.¹⁷⁹

In any event the question was for the moment in abeyance and it seems that about this time — to inject a lighter note into these grave affairs — the Protector received a copy of Waller's *Panegyrick*, which he commended in a vein never foreign to him but now, it would seem, carried to an extreme:

*For my very loving Friend Edmund Waller, Esq., Northampton:
Haste, haste*

SIR,

Let it not trouble you that, by so unhappy a mistake, you are, as I hear, at Northampton. Indeed I am passionately affected with it.

I have no guilt upon me unless it be to be avenged for you so willingly

¹⁷⁹ J. L. Carlbom, *Sverige och England* (Göteborg, 1900), pp. 24-6; Gardiner, *Comm. and Prot.*, iv, 199.

mistaking me in your verses. This action will put you to redeem me from yourself, as you have already from the world. Ashamed, I am, your friend and servant,

[Whitehall] 13th June, 1655.

OLIVER P.¹⁸⁰

Meanwhile the matter of supplying the West Indian expedition was further considered.¹⁸¹ The question of the Great Seal, which Cromwell had kept in his possession for more than a week and which was now broken, was taken up and a new Seal ordered with the inscription "Oliverus Dei Gratia Angliae, Scotiae, Hiberniae etc. Protector" to be handed over to Fiennes and Lisle on June 15.¹⁸² The collection for the Waldenses was begun and it was reported, probably with great exaggeration, that nearly half a million pounds was collected, chiefly it would appear because the Protector had the contributors listed and no one dared refuse.¹⁸³ On the next day Henry Cromwell began his journey to Ireland¹⁸⁴ in company with Captain John Reynolds — knighted Sir John on the preceding Monday¹⁸⁵ by the Protector — and possibly also Sir John Temple, who was carrying letters of appointment. For in addition to creating Fiennes and Lisle as Keepers of the Great Seal and conferring the oaths on them on that Friday, the Protector had approved the Council's recommendations for a list of officers in Ireland — John Cook as Justice of the Upper Bench; Lowther as Chief Justice of Common Pleas, with Donnilan as a Justice; Edward Carey as a Baron of the Exchequer and Miles Corbet as Chief Baron, with an order that he and the two Chief Justices manage the business of Chancery,¹⁸⁶ to which effect the Protector wrote on June 14:

Oliver P. It being our will and pleasure that our trusty and well-beloved Richard Pepys our Chief Justice assigned to hold pleas before us in our Court

¹⁸⁰ Lomas-Carlyle, App. 28 (7), from Waller archives, Beaconsfield. Pr. in *Notes and Queries*, 2nd ser., v (1858), 2. Panegyric pr. in Fenton, *Works of ... Waller*, (1770), pp. 113-21, and in John Banks' *Cromwell*.

¹⁸¹ *Cal. S. P. Dom.* (1655), p. 206 (June 13).

¹⁸² *Clarke Papers*, iii, 44; Thurloe, iii, 570; Whitelocke, p. 627. Ordinance for regulating Chancery was read and Fiennes made a speech saying it was Cromwell's wish to put it into execution (*Perf. Diurn.*, June 16; see also Thurloe, iii, 549, and Bordeaux to Brienne, June 21/July 1, *ibid.*, p. 568). For the Great Seal see Henfrey, *Numis. Crom.*, Plate VIII.

¹⁸³ James Darcy to D. D. John Smith at Dunkirk, June 19, Thurloe, iii, 549. On June 14, Morland remonstrated with the Duchess of Savoy, who replied that she regretted that Cromwell had received false reports (Morland, pp. 568, 575, 579). Fox, *Journal* (1911), i, 335-40, prints Margaret Fell's letter "to o: p: 1656 [June 16, 1655] consaing the soufering of the prodstantes be yond the seay."

¹⁸⁴ *Perf. Diurn.*, June 16.

¹⁸⁵ *Parl. Hist.*, xxi, 221; Shaw, *Knights of England*, ii, 223; *Clarke Papers*, i, 22n.; *Perf. Diurn.*, June 11.

¹⁸⁶ *Cal. S. P. Dom.* (1655), pp. 206-7; Thurloe, iii, 549.

of Upper Bench in Ireland, Sir Gerard Lowther our Chief Justice of our Court of Common Bench in Ireland, and Miles Corbett our Chief Baron of our Exchequer there be Commissioners of our Great Seal of Ireland and have power to rule and manage the business of and in our Chancery within that our Dominion as the Chancellor or Keeper of the Great Seal there hath had in time past, and shall so continue until we shall otherwise order, we therefore hereby will and command you that forthwith upon receipt of our said Great Seal of Ireland (which we now send unto you herewith by our trusty and well-beloved Sir John Temple, Kt., Master of the Rolls in our said Chancery) you dispose of and deliver it into their hands and custody for that purpose, and administer unto them the oath herewith sent you.¹⁸⁷

The next day he wrote to the Merchant Adventurers in Hamburg in a further attempt to compose the differences among them and between them and the English resident there:

To Our Trusty and Welbeloved the Deputy and Company of the Merchant Adventurers of England residing at Hamburg

Gentlemen:

I did hope that my last letter unto you would have put an end to the differences that are among yourselves, but understanding that some persons among you do still cherish those discontents, and have so little regard either to their own peace and good or to the advices which we have given unto them that they take all opportunities to continue the divisions and to cast reproaches upon our public Minister there, whom we are well assured hath carried himself with prudence and fidelity in the quality he resides in at Hamburgh. And we believe his deportment towards the Company as their Deputy has been also just and commendable and this we have been well informed of by some of your own Company of whose affection and wisdom there is no doubt. And therefore especially the election of a Deputy drawing now near, we have thought it necessary to take notice of these things and to let you know how sensible we are of the aforesaid carriages, and that as we shall not impose anything which is unusual upon you, so on the other hand we hold ourself obliged to preserve as far as in us lies those whom we employ abroad (whilst they carry themselves justly and according to their duty) from contempt and scorn, which I fear some have been too ready to cast upon our present Minister with you, whereof I have been so well informed that I might justly enough have sent for them to give an account of it here. But hoping that this letter may have better success

¹⁸⁷ Dunlop, *Ireland under the Commonwealth*, ii, 520-1. See also *Perf. Diurn.*, July 4. On June 11 an order for reference of the petition of Thomas Dawson, deputy commissary of musters, for arrears (report, April 15, 1656, in Thurloe, iv, 701, recommends no house, lands or money be given him). June 12, in regard to Whalley's petition to Cromwell that he had title to 6,000 acres in the Barony of Ards in Ulster, forfeited by Montgomery and Claneboy, and asking for lands in Armagh or Louth in compensation, was referred to the Council by a holograph order, "Oliver P. I desire the Council of State to have a tender regard of the petitioner and of his petition." (*Cal. S. P. Ire.*, 1647-50, p. 589.)

than the former, I shall forbear the doing of that until I find no other means will serve. And so I bid you farewell and rest,

Whitehall,
15th of June, 1655.

Your loving friend.
OLIVER P.¹⁸⁸

On the same day he signed the ratification of the agreement with the Dutch regarding the disputed thirtieth article of the treaty:

*Ratification of Agreement with the Dutch regarding the
Thirtieth Article of the Treaty*

Oliver Protector of the Commonwealth of England Scotland and Ireland &c. To all and each who are concerned or who may in any way whatever be concerned, Greeting:

Whereas, on the ninth day of May in the year 1655 between our Commissioners, party of the first part, and the Envoy Extraordinary of the States General of the United Provinces, party of the second part, invested with special authority and power to remove the causes of complaints of losses and injuries which the party of the first part pleads that it has sustained at the hands of the party of the second part, it has been agreed by a settled pact and instrument just as it is herein set forth below, namely,

Whereas, in the 30th article of the Treaty recently signed it has been agreed between the Most Serene Lord Protector of the Commonwealth of England Scotland and Ireland and the High and Powerful Lords of the States General of the United Provinces, that Commissioners or, if you please, Arbitrators, are to be named and appointed with full and unrestricted power to examine and define all the losses and injuries which the party of the first part pleads that it has sustained at the hands of the party of the second part, from the year 1611 up to the 18th of May 1652 (Old Style) and which were to have been reported before the 18th of May 1654. This date, however, with the consent of both parties was postponed to the 30th day of the same month. And if the aforesaid Commissioners should not agree concerning the aforesaid losses and injuries, within three months from that date, that the aforesaid complaints should be referred to the Protestant cantons of Switzerland who were to be asked to name and appoint Commissioners to examine and define the complaints within six months after the three months elapsed previously.

And Whereas, the Commissioners of the Republics met at London and received the various complaints presented to them within the aforesaid time, and examined and defined certain complaints set forth in the award and judgment of the Commissioners, under the hand and seal of the same, published Aug. 30, 1654 (Old Style) and yet various complaints presented within the aforesaid time remained undecided and undetermined, which they must needs according to Article 30 send to the Protestant Cantons of Switzerland to be decided through Commissioners to be named and appointed by them. This naming and appointing, however, has not been done by them within the aforesaid time of six months. And yet it may be necessary that all differences be removed and all shadow of disagreements for the future be taken away;

¹⁸⁸ Copy in Rawl. MSS. A261, pp. 48-48v.

It has been agreed and settled between the Most Serene Lord Protector and the High Lords of the States General that all complaints presented up to the aforesaid time namely, May 30, 1654, and not covered and settled in the aforementioned Award and Judgment be referred and submitted to the judgment and settlement of the aforesaid Commissioners who have published the aforesaid Award and Judgment or [to that] of others who shall be named and appointed by both parties and that they shall again convene at Amsterdam in Holland armed with the same power and authority and instructed as before and that they proceed in the same process and manner as before and by the same method and therefore settle all the aforesaid complaints wholly within three months after their first meeting which will be the 20th of July 1655, and that a public ratification will be given on that day to the people of both republics and that all that the aforesaid Commissioners shall settle within the aforesaid three months shall be binding on both parties. In confirmation and witness of all and each of these matters not only the Commissioners of His Highness but also the Envoy Extraordinary of the United Provinces have subscribed to these presents with our own signatures and have affixed our seals. Done at Westminster, May 9th (Old Style) in the year 1655.

This accordingly our same Instrument above inserted in all and each of its sections and parts by the force and strength of it we hold ratified and acceptable and binding on our Envoy of our own free will, and promising for ourselves and our successors that we will observe the same firmly and inviolably and will see to it effectually that by all others who are under the sway of this Commonwealth it shall be likewise carried out. In witness and confirmation of which we have with our own hands signed these presents and have caused to be stamped, with the addition of the Great Seal of England. Done at Westminster the 15th of June 1655.

OLIVER P.¹⁸⁹

The events of the preceding months had not only made Cromwell a European figure but had given the rulers and peoples of the Continent a far more definite idea of what they had to deal with in their relations with him. On the whole — apart from the Protestants — that opinion was not favorable, and even the Protestant states were not unanimous. It was reported at this time that Brandenburg was angry at Holland's suggestion to introduce England into the treaty then being negotiated between those powers, since Brandenburg continued to consider him an enemy; while the Zealand ministers declared in their pulpits that making peace with Cromwell was a dangerous business.¹⁹⁰ That, no doubt, was equally true of almost any European power at this time, or perhaps at any time, but there were certain elements in Cromwell's negotiations which made it doubly true at this moment. Not only had he professed

¹⁸⁹ Latin original, with Cromwell's portrait inside the first "O" and the Great Seal at the bottom, is in *Algemeen Rijksarchief, Secre. kas. Eng. no. 92*, at the Hague. "Husey," apparently the copyist's name, is under Oliver's signature. Cp. above under May 9 for agreement, and App. I (1c).

¹⁹⁰ Intelligence from the Hague, Thurloe, iii, 544.

friendship with Spain while fitting out an expedition against the West Indies, but though he seems to have assured Nieupoort earlier that Sweden should not have Highland levies, as late as his interview on June 15 he had led Coyet to believe that she could have them as soon as news arrived from the West Indies.¹⁹¹ Pending the arrival of such news, steps were taken to speed the parting of the Spanish ambassador extraordinary¹⁹² and to arrange matters with other envoys, of whom the Swedish representative apparently announced his impending departure which inspired a commendatory letter from the Protector to Charles X:

To Charles Gustavus of Sweden

Most serene and powerful King:

Seeing that the most serene and powerful Prince and Lady, the Lady Christina, the late Queen of Sweden, of glorious memory, long ago sent to the Parliament — which then ruled — of the Commonwealth of England the nobleman Benjamin Bonell as her regular commissioner, that he might sojourn here and procure those things which could contribute to encouraging friendship and maintaining the reciprocal freedom of trade — which authority was afterwards renewed for him by Your Majesty; and seeing that it has pleased Your Majesty to recall by your letter your said public minister after these things had been worthily accomplished which were confided to his care and trust; we, influenced by his sincere zeal and praiseworthy services, by which he has always jealously watched over the preservation of friendship and good understanding between both peoples, could not but express to Your Majesty the very high opinion we have conceived of his services to both States, nor could we let him go, now that by reason of your royal command he is hastening his return, without an extraordinary testimony to his faithfulness and sagacity. May he find in Your Majesty, when he is with you, the same considerable favor, but increased and made abundant, as he has obtained with us on account of the work he has so usefully executed. We leave it to him personally to set forth the rest more at length, and meanwhile we heartily

¹⁹¹ Coyet to Charles X, June 22; cp. Carlborn, *Sverige och England*, p. 25. Gardiner, *Comm. and Prot.*, iv, 199; Lomas-Carlyle, ii, 457n.

¹⁹² *Perf. Diurn.*, June 18; Nieupoort to States General, June 22/July 2, Thurlow, iii, 570.

There were only three Council meetings this week, at the second of which (June 20) was noted the Protector's approval of eight orders from June 7 to 20. On June 22 he attended the Council and then left for Hampton Court. On June 26 he approved of three orders of June 19-26 (*Cal. S.P. Dom.* (1655), p. 215). The Council's activities were unimportant, chiefly discussion of petitions referred to them by the Protector: March 31, 1654, of John Fisher, yeoman of the Tower for reimbursement of expenses for a prisoner there; May 5, 1655 for continuance of a pension to Katherine, widow of Lieut. Hugh Miller; June 9, 1655, John Clench of Stowbury, Dorset for damages for burning of the town in 1643 to preserve the Wareham garrison; £500 allowed for "discoveries of concealed estates." *Ibid.*, pp. 208, 211. June 20, presentation of George Howe to living at Tenterden, Kent, appt. by commrs. date 27 June, quot. in full in *Arch. Cant.* xxxi, 227-8, from *Augmentation of Livings etc.*, 1647-58, vol. 996.126.

commend Your Majesty to the protection of divine mercy. Given from our Hall of Westminster, 20 June 1655.

Your Majesty's good friend,
OLIVER P.¹⁹³

In the interval various rumors and reports served to further disturb the already muddied waters of diplomacy. The French court, increasingly irritated by the delay in the Anglo-French negotiations and hinting that this government of "upstarts" was hardly worthy of an alliance with France, sent a message to Bordeaux that he should return if no treaty was signed by the end of the month.¹⁹⁴ He, in turn,¹⁹⁵ like Nieupoort,¹⁹⁶ reported that vast sums were being collected for the Piedmontese. From Moscow, Prideaux reported the reply of the Russian chancellor to Cromwell's earlier message,¹⁹⁷ with the information that the Czar was afraid to correspond with the Protector since he believed that Charles Stuart would soon recover the crown.¹⁹⁸ But from this confusion one fact emerged, for it was apparently on Friday of this week that Meadowes delivered to Nieupoort Cromwell's ratification of the final agreement on the "remaining undecided pretensions" in the Dutch treaty,¹⁹⁹ presumably the important thirtieth article, dated June 15.

It was at this moment, too, that the government began to receive news of the fate of the Western Design. The first report was highly favorable. It came, apparently, through a merchant, Mr. [Martin?] Noel, presumably one of the persons to whom the instructions of August 18, 1654 were directed, and was to the effect, as the Protector reported to the Council, that Venables had landed in Hispaniola "without the least opposition," and had taken possession of it on April 26.²⁰⁰ That was, at least, an exaggeration. The Penn-Venables expedition, badly planned, badly manned, and on the whole badly officered, had arrived in Barbados the last of January, recruited and supplied there, made for St. Christopher's in April, decided to attack Hispaniola, where some 7,500 men were landed on April 14 and reinforced the next day. Three days later, having given time for the alarm of the people and the collection of the forces in the island, they had begun their march, virtually unopposed, through the sugar plantations, orange groves and "savanoes" of the island, much troubled with the heat and harassed by the enemy,

¹⁹³ Latin original in the Riksarkivet in Stockholm, *Anglica: "Parlamentets och Protektörernas originalbref till svenska konungahuset 1645-1660."* Copy in *Rawl. MSS.*, A261, ff. 49-49v, pr. in App. II (36).

¹⁹⁴ Intelligence from Paris, June 20/30, Thurloe, iii, 563-4.

¹⁹⁵ Bordeaux to Brienne, June 21/July 1, *ibid.*, p. 568.

¹⁹⁶ Nieupoort to States General, June 22/July 2, *ibid.*, p. 571.

¹⁹⁷ *Ibid.*, pp. 575-6.

¹⁹⁸ Prideaux to Thurloe, June 22/July 2, *ibid.*, p. 601.

¹⁹⁹ Nieupoort to States General, June 22/July 2, *ibid.*, p. 593.

²⁰⁰ *Clarke Papers*, iii, 44; Nieupoort to States General, June 22/July 2, Thurloe, iii, 571.

until they came to the fortified town and castle of St. Domingo. These they attacked with disastrous results on April 25, were routed with the loss of some thousand men and two or three thousand arms, and on April 27 regained their ships which on May 3 left Hispaniola. By May 10 the expedition had reached Jamaica and took possession of the capital with little or no resistance. The island surrendered on May 17²⁰¹ and ten days later, at about the same time the Protector was advising the Council of the news of the success at Hispaniola, Penn sailed for England, having turned over his command to Goodson,²⁰² while Fortescue, assisted by Butler, was named to succeed Venables in case of that commander's death, subject to confirmation by the Protector.²⁰³

All that England and her rulers knew of this, so far as can be learned, came from various unofficial reports; one of June 6 announcing the arrival of supply ships; one of June 11, with news of the fleet's reaching Hispaniola on April 7; one from St. Christopher's on June 21, confirming that Penn and Venables had enlisted 2,000 men and gone on; and two reports, of June 27 and 28, to the effect that letters of May 4 announced the landing of 10,000 men and the capture of San Domingo.²⁰⁴ In consequence the government felt no alarm over the fate of the expedition, its chief concern for the moment being the problem of Ireland, in regard to which Fleetwood had written earlier in the week.²⁰⁵ On Tuesday, therefore, the Protector wrote his son-in-law to put Gookin in possession of the lands assigned him,²⁰⁶ and later a more personal letter:

²⁰¹ See Firth, *Narrative of Venables*, *passim*; *Memorials of Penn*, i, 81-104; Gardiner, *Comm. and Prot.*, iv, ch. xlvi.

²⁰² Comm. dated June 21 in *Memorials of Penn*, ii, 112-4; June 25 in Thurloe, iii, 582; Instr. dated June 21 in *Memorials of Penn*, ii, 114-8; undated in Thurloe, iii, 582-4.

²⁰³ *Ibid.*, pp. 581-2, 585; *Memorials of Penn*, ii, 119.

²⁰⁴ *Perf. Diurn.*, June, esp. 26, 28; *Merc. Fum.*, June 27-July 4.

²⁰⁵ To Thurloe, June 18; to Cromwell, June 20. Thurloe, iii, 558-9, 566-7.

²⁰⁶ June 19, in *Irish R. O.*, A/28, 26, f. 64; cp. Gardiner, *Comm. and Prot.*, iv, 117. On June 23, 1654, orders were given in Council "to grant Vincent Gookin the 'free farm' [fee farm] of the lands now in his possession in Barrymore, with the two ploughlands of Ahada, at rent they think just" (*Cal. S. P. Ire.* (1647-60), p. 803) in consideration of his "sufferings by plunder, sequestration, and imprisonment for his constant adhering, his expenses in those public employments whereunto he hath been immediately called us, for which he hath yet received no proportional compensation, as also his building a house new from the ground on part of the said lands, and the settlement of his stock and family there, where he desires for the future to retire himself, from whence he cannot (as he alleges and we believe) remove without much damage and inconvenience." (*Eng. Hist. Rev.*, xiv (1899), 734; from the note in which this portion is quoted it is not at all clear whether this is taken from the order of 1654 or 1655; in fact, it is not quite certain that the 1654 order emanated directly from the Protector in view of the order of Council on June 23, at which meeting he was not present. Pass for Gookin, 6 servants, 7 horses to Ireland, July 4, 1655 (*Cal. S. P. Dom.* (1655), p. 590).

'To the Lord Fleetwood, Lord Deputy of Ireland'

DEAR CHARLES,

I write not often: at once I desire thee to know I most dearly love thee, and indeed my heart is plain to thee as thy heart can well desire: let nothing shake thee in this. The wretched jealousies that are amongst us, and the spirit of calumny, turns all into gall and wormwood. My heart is for the people of God: that the Lord knows, and I trust will in due time manifest; yet thence are my wounds; which though it grieves me, yet through the grace of God doth not discourage me totally. Many good men are repining at everything; though indeed very many good [are] well satisfied, and satisfying daily. The will of the Lord will bring forth good in due time.

It's reported that you are to be sent for, and Harry to be Deputy, which truly never entered into my heart. The Lord knows, my desire was for him and his brother to have lived private lives in the country: and Harry knows this very well, and how difficultly I was persuaded to give him his commission for his present place. This I say as from a simple and sincere heart. The noise of my being crowned &c. are like ²⁰⁷ malicious figments.

Use this bearer, Mr. Brewster, kindly. Let him be near you: indeed he is a very able holy man; trust me you will find him so. He was a bosom-friend of Mr. Tillinghurst; ask him of him; you will thereby know Mr. Tillinghurst's spirit. This gentleman brought him to me a little before he died, and Mr. Cradock; — Mr. Throughton, a godly minister being by, with [Mr. Tillinghurst] himself, who cried "shame!"

Dear Charles, my dear love to thee; to my dear Biddy, who is a joy to my heart, for what I hear of the Lord in her. Bid her be cheerful, and rejoice in the Lord once and again: if she knows the Covenant thoroughly, she cannot but do [so.] For that transaction is without her; sure and stedfast, between the Father and the Mediator in His blood: therefore, leaning upon the Son, or looking to Him, thirsting after Him, embracing Him, we are His seed; and the Covenant is sure to all the seed. The compact is for the seed: God is bound in faithfulness to Christ, and in Him to us: the Covenant is without us; a transaction between God and Christ. Look up to it. God engageth in it to pardon us; to write His law in our heart; to plant His fear [so] that we shall never depart from Him. We, under all our sins and infirmities, can daily offer a perfect Christ; and thus we have peace and safety, and apprehension of love, from a Father in Covenant, who cannot deny Himself. And truly in this is all my salvation; and this helps me to bear my great burdens.

If you have a mind to come over with your dear wife &c., take the best opportunity for the good of the public and your own convenience. The Lord bless you all. Pray for me, that the Lord will direct, and keep me His servant. I bless the Lord I am not my own; but my condition to flesh and blood is very hard. Pray for me; I do for you all. Command me to all friends.

I rest,

Your loving father,

OLIVER P.²⁰⁸

22 June, 1655

²⁰⁷ Carlyle, for no good reason, altered this to "similar."

²⁰⁸ Lomas-Carlyle, CXCLIX, from Thurloe, iii, 572.

This Mr. Tillinghast, it seems, was one of those earnest and faithful souls who felt it their duty to bear witness before the Protector, and as to his "spirit," of which Cromwell speaks, it is related of him that,

The object of his visit was first to speak his mind to the great man, Oliver Cromwell; and he did bear his testimony to his face, in the first place in the presence of divers witnesses, in such a way of plainness and pity to him, who was guilty of such open abominations, that undoubtedly it will be of use hereafter to the stopping of the mouth of all great flatterers; secondly to preach in favour of a Fifth Monarchy; and thirdly to travel from prison to prison where any of the servants of Christ were shut up. He was spirited from the Lord to do much work in a little time.

This interview evidently took place about this time, for, as Cromwell notes, Mr. Tillinghast had but lately died. It was a characteristic scene in the life of the Protector, and it is significant both for the light it throws on him and his critics that he received them and that they did not hesitate to express their opinions of him to his face, and in no uncertain terms.²⁰⁹

It seems, further, that about this time the government was troubled with forgeries and counterfeiting. On June 18 the President of the Council, Lawrence, had advised the Lord Mayor of London that the Protector and Council had sent a paper in regard to persons who had coined farthings, alleging public authority for their actions, and ordering the City officials to proceed against the offenders;²¹⁰ and four days later like action was taken against a certain John Timberly, sometime steward in the navy:

Reference to Admiralty Commissioners

OLIVER P.

Whereas by our warrant of the 17 of May there stands committed to Edward Dendy our Sergeant at Armes, the body of John Timberly, for that he stands charged with the counterfeiting of tickets for seamen to our great prejudice and the service of the Commonwealth. We have therefore thought fit hereby to refer the matters wherewith the abovesaid John Timberly stands charged, to be examined by you; and therein to proceed according as the mat-

²⁰⁹ From Feake's preface to his edition of John Tillinghast's eight last sermons, quoted in John Browne, *History of Congregationalism . . . in Norfolk and Suffolk* (1877), p. 295. According to this source, "Mr. Brewster" was the Rev. Nathaniel Brewster of Alby, sometime minister of Christ Church, Dublin (cp. Dunlop, *Ireland under the Commonwealth*, ii, 570, 611, and Thurloe, iv, 327, 348, 373). According to Browne, Tillinghast went from Yarmouth to Trunch early in 1652 and was minister there until his death (Browne, *ut supra*, p. 294).

²¹⁰ *Cal. S. P. Dom.* (1655), p. 211.

ters of Fact shall appear, and the Law in such cases hath provided. Given under my hand this 22th June 1655.

To our Trusty & wellbeloved
our Com^{rs} for ye Admiralty ²¹¹

On the same day he sent further and somewhat peremptory instructions to Desborough, then in command of the forces in the west:

To General Desbrowe

SIR,

I suppose you have by this time fully executed the instructions which you lately received for the apprehending and securing some of the Cavalier party, concerning which although we have already received some account from you, yet finding it necessary to be informed very certainly of all which you have done, I desire you immediately upon the receipt hereof to send unto me a perfect list of all the persons you have taken and in what places you have secured them, distinguishing those whom you apprehended by the list delivered unto you with your instructions, from those which were apprehended by such informations as you had in the country, and with this I would have you send a particular account of such informations as are come to your hands concerning any of those persons and to be very particular therein. And I desire you to make all the haste you possibly can in this, because much of our business will stand still while I receive this from you. It will be necessary for this and other things to have here some of the persons who are appointed to be captains of our new militia and therefore I would have you send up one of every county under your charge. Such of them as you esteem fittest for the present service, requiring them to come with all the speed that may be, I rest

Your loving friend,

OLIVER P.²¹²

22th of June 1655.

The letter to Desborough was in part inspired by the news of further designs for a rising and the Protector's assassination,²¹³ occasioned perhaps by the continuing talk of his being crowned.²¹⁴ It was reported that Wilmot's servant had gone to England to deliver messages in regard to Cromwell's murder;²¹⁵ that there were men willing to serve Charles who were as yet unsuspected by the Protector;²¹⁶ and that an assembly of civilians from all parts of the country was projected to consider changes in the Protector's title or powers.²¹⁷ From abroad the Senate

²¹¹ *Ibid.*, p. 230, from *S. P. Dom.*, XCIX no. 18 III. Timberly had been steward of the Merlin and of the Deliverance (*Cal. S. P. Dom.* (1655), pp. 230, 496).

²¹² Copy in *Rawl. MSS. A261*, ff. 49v-50.

²¹³ Manning to Thurloe, June 22/July 2, *Cal. S. P. Dom.* (1655), p. 213.

²¹⁴ Same to same (*ibid.*, p. 212).

²¹⁵ *Ibid.*, p. 213.

²¹⁶ Thurloe, i, 695.

²¹⁷ *Ven. Trans. R. O.*

and Council of Geneva wrote him acknowledging his letter on behalf of the Piedmontese martyrs and the sums sent and still being sent for their relief.²¹⁸ Dr. Bayly was reported as having arrived in Rome, presumably on a mission from the Protector to the Pope;²¹⁹ and in Constantinople "a very sad Omen" was reported — erroneously — in the beheading of Bendish and the killing of some English merchants in revenge for the destruction of the ships of the Grand Seignor by Blake at Porto Farino.²²⁰ That commander had meanwhile received his secret instructions in regard to the Plate fleet; refused the permission afforded him to careen his ships at Cadiz; revictualled at sea near Gibraltar from ships sent from England; taken on ordnance and anchors recovered from the wrecks of Rupert's squadron; and spread out his ships with the purpose of intercepting the Plate fleet.²²¹ It was by now apparent, even to the Spanish government, that this eagerly awaited treasure fleet was in danger, and it was more and more difficult for the Protector to conceal his real purpose — war with Spain.

It was possibly at about this time that there occurred the famous incident of Cromwell's reading Blake's letter to the Council concerning the insult alleged to have been given by an English sailor to a Spanish religious procession, the beating of the sailor by the crowd and Blake's reproof to the priest who had inspired the punishment that he "would have all the world to know that an Englishman was only to be punished by an Englishman." Whether it occurred at this time or not, it was, according to a generally accepted tradition, the occasion of the Protector's oft-quoted remark, "I will make the name of Englishman to be as much feared as ever was the name of *civis Romanus*."²²² Though he seems not to have attended any of the five Council meetings in this last week of June, his approval of some fourteen orders was registered,²²³ and various petitions which he referred to the Council were considered.²²⁴ His activities at this moment were, indeed, confined within very narrow limits. The appearance at this time of a *Collection of . . .*

²¹⁸ June 27, Thurloe, iii, 589.

²¹⁹ Father John Creagh to Father Peter Talbot, Rome, June 30/July 10, in Macray, iii, 44-45, no. 132.

²²⁰ *Merc. Fum.*, June 27-July 4.

²²¹ Powell, *Blake*, pp. 274-321.

²²² Burnet, *Hist. of my own Times*, i, 147-8 (ff. 80-81), gives the story without date. David Hannay, *Admiral Blake* (1886), p. 131 quotes Cromwell's saying without giving his source. Corbett, *England in the Mediterranean*, i, 315, dates it about May 24, 1655, when Blake was a little short of Gibraltar. *Perf. Diurn.* 28 June reports a letter from Blake of May 21, "now riding in the bay of Cadiz," but the Protector did not attend any Council meeting until July 3.

²²³ *Cal. S. P. Dom.* (1655), pp. 215, 222.

²²⁴ June 26, Sam. Vassall (cp. *Cal. S. P. Dom.*, 1654, p. 81); Marmaduke Gresham and John Holmedon and William, Lord Chandos (*ibid.*, 1655, p. 214); Thomas Gallilee (*ibid.*, pp. 217-18).

*Acts . . . of Parliament as of His Highness . . . for the Levying of Monies by way of Excise and new Impost . . .*²²⁵ which contained orders from September 11, 1643 through June 26, 1655, gave some indication both of the necessity for money and of the means by which it had been and was being raised. The complaint of the Commissioners of the Treasury that many small offices were vacant and must be filled by his order or by persons authorized by him,²²⁶ indicates their feeling that in this respect he had fallen somewhat short of his usual concern for the minutiae of administration. On the other hand, he took occasion at this moment to address an order to the corporation of Colchester, which, for the present at least, determined a small but annoying controversy which involved large issues of government and its authority:

Order to the Corporation of Colchester

OLIVER P.

Being informed that writs from our Upper Bench are issued out for restoring of the recorder and one of the aldermen lately by you ejected, our will and pleasure is that, after the execution of the said writs, you do forbear the displacing of the said persons, or making any alteration in the magistracy or common council of this town, until the business be determined by our Council, to whom the petitions of our town are referred.²²⁷

Whitehall

June 28, 1655

He also referred to Monk a petition from the town of Leith:

To General Monk

Wee doe referre the consideracione of this petitione of the inhabitants of the towne of Leith with thair paper of greivances heirunto annexed unto Generall Monck whom we doe desyre and authorize (calling to his assistance anie tuo of the judges in Scotland) to heir and examine all the matteris complained of in the said petitione and in difference betweine the inhabitantis of the Cittie of Edinburgh and the said inhabitantis of Leith and to endevour to compose the same (if they can) or otherwayes to certifie unto us the true stait thairof togither with thair oppinione concerning the same.

OLIVER P.²²⁸

Whitehall 26th June 1655

²²⁵ *Ibid.*, p. 223.

²²⁶ June 26, Thurloe, iii, 587.

²²⁷ S. P. Dom. xcvi, 23; pr. in Gardiner, *Comm. and Prot.*, iv, 64. For a full account of this episode, cp. Gardiner, *ut supra*. Cp. also Lomas-Carlyle, Suppl. 107. Of this date is also an order from the Protector constituting John Preston a canon or prebend of Christ Church, Oxford, in the place of Dr. French (cal. in Tatham, *Sufferings of the Clergy*, p. 266).

²²⁸ *Extracts from the Records of the Burgh of Edinburgh 1642 to 1655*, ed. Marguerite Wood (1938), p. 412.

In itself, save to the inhabitants of Colchester, the incident seemed of no great importance, but it related itself to the wider issues of government policy, especially to the ascendancy of the soldiery in public affairs. Like interference in the elections of London, Coventry, Chipping Wycombe and elsewhere²²⁹ it indicated that the Protector's government kept a closer supervision over local affairs than the Stuarts or even the Tudors had been able or willing to exercise. That, among other things, made a deep impression on foreign observers. Sagredo, the Venetian ambassador in Paris, refused to go to London and wrote that "the Court of England, by sheer force, has made itself the worst dreaded . . . in the world;"²³⁰ and Secretary Nicholas inquired "Why should any marvel that a people should be quiet, when he has so great an army to command them?"²³¹ Nor was this all. The newsbooks of this month of June recorded an astonishing number of arrests throughout the country, more than eighty noted by name, besides many others. Among them were not a few well-known men — Lord Willoughby of Parham, Lord Newport and his brother, Lords Maynard, Peter, Lucas, St. John, Coventry, and Lovelace; the Earls of Northampton, Peterborough and Lindsey; the Marquis of Hertford; some seventeen knights and a dozen colonels, with a crowd of others, indicated as majors, captains, doctors and, as the papers noted, "others not named." From this it appears that for some reason not now apparent it seemed necessary to the government to round up those who might be dangerous to its continuance. And it was noted further that, in addition to the arrests, "divers of the Cavalier party, hearing of an intent to apprehend them, . . . surrendered themselves."²³²

All in all, despite certain obvious exceptions, the Protector had reason to believe that his plans were going well. He had repressed discontent at home; he had made peace and entered into treaties with the Netherlands and Sweden; he had made an effective protest in the Piedmontese incident; he had made a no less effective demonstration in the Mediterranean; and though his Western Design was as yet unsuccessful, he was as yet unaware of it. So far, at least, the Protectorate seemed likely to succeed despite the disaffection of so great a part of its subjects, and though it is debatable whether it was at this point Cromwell attained the height of his power and career, there can be no doubt but that he had established his position at home and abroad. In one respect this was particularly notable. Though England was far inferior to France, or to some other European states, in territory, population, wealth and

²²⁹ Cp. Gardiner, *Comm. and Prot.*, iv, 64.

²³⁰ Sagredo to Doge, June 26/July 6, *Cal. S. P. Ven.* (1655-6), p. 77.

²³¹ Nicholas to Jos. Jane, June 29, *Cal. S. P. Dom.* (1655), p. 221.

²³² *Perf. Diurn.*, June, *passim*; Thurloe, iii, 591, 616-17. Cp. also Col. Chas. Howard to Cromwell, June 20, *Cal. S. P. Dom.* (1655), p. 568.

strength, the Protector had demonstrated the influence of sea-power in international affairs and given her a position there to which she had long been a stranger. Seldom if ever before in her history had her assistance been sought by so many powers, from France on the west to Poland on the east, from Naples on the south to Sweden on the north; and if the fear a ruler inspires is a measure of his greatness, Cromwell was at this moment one of the greatest rulers England ever had, if not the greatest. He had, in fact, made himself and his country great in spite of itself, and if he was hated by the greater part of those whom he ruled, his achievements abroad did much to strengthen his position at home. Of that he was fully conscious, and it may at least be questioned whether, without the fear he inspired abroad his position in the British Isles could have been maintained in such fashion there even with the forces at his command.

CHAPTER XVI

FOREIGN POLICY AND THE MAJOR-GENERALS

I. FOREIGN POLICY, JULY, 1655

Some five or six years after the momentous decisions of 1655, John Thurloe, in an endeavor to secure his liberty, save his life, or serve his country, or all three, communicated to his old antagonist, Sir Edward Hyde, now Earl of Clarendon, Charles II's chief minister and Chancellor, his information and opinions as to Cromwell's foreign policy.¹ When peace was made with Holland, Portugal, Denmark and Sweden, he wrote, "after many debates an alliance with France was preferred," Oliver himself being "for a war with Spayne, at least in the West Indies, if satisfaction were not given for the past damages, and things well settled for the future. And most of the councell went the same way, and inclyned to hold good intelligence with France." The reasons for this policy, he went on to say, were to expel Charles II from France and remove all hope of his restoration by aid of Louis XIV, who was related to Charles and had more "proper mediums and advantages to give England trouble at that time," that is to say, Protestant subjects "to make use of;" the Scots who were "at the devotion of France" and were at "the back door into England;" as a counter-balance against the Dutch; as a reinforcement to an alliance with Sweden; "and also for the preserving Portugal from the returning into the hands of the Spanish king." On the other hand, the Protector meant to preserve "a good correspondence with the Protestants of France . . . whereby . . . he might . . . make and preserve an Interest in France . . . which would be acceptable to England and to all other Protestants in the World, whose cause and Interest he professedly asserted as the Head and Protector of them . . . in making war with Spain and the house of Austria, the head and protector of the papists." These, with the French interruption of English trade in the Mediterranean, necessitated a "good understanding with France," in case of war with Spain.

As to that it was resolved "to send a fleet and land forces into the West Indies, where," as Thurloe says naïvely, "it was taken for granted the peace was already broken by the Spanyard contrary to the former treatyes; and not to meddle with any thing in Europe, untill the Spanyard should begin, unless the American fleet should be met with,

¹ Quoted in its various forms in S. F. v. Bischoffshausen, *Die Politik des Protektors Oliver Cromwell* (1899), pp. 190ff., 224.

which was looked upon as a lawful prize." Meanwhile the Protector sent an emissary to the Protestant cantons of Switzerland with "instructions to oppose and retard the French in renewing their treaties of the Swiss league . . . and this had the effect desired." On his part, Louis XIV, then at war with Spain, wished a "strict alliance . . . a league offensive and defensive and that their common interests might be managed with common counsells." It was at first proposed that an English squadron join the French as auxiliaries, "so no breach might be in Europe with Spayne on the part of England," and France should subsidize England in case the Protector declared war, but "many difficulties and delays falling out in this treaty, the fleet was sent away into the West Indies." The Protector and Council being unwilling to sign an offensive and defensive alliance, "a treaty was concluded, only of a defensive alliance;" and for the rest, for some years there passed only "very civil messages and assurances" between the Protector and the King and Cardinal. Meanwhile the French did nothing without consulting the Protector "because they left a back dore [open] behind them," of which they feared he might take advantage.²

As to the northern powers, in 1655 war broke out between Poland and Sweden, whose king hastened to ask aid from the Protector, "and most of the Princes and States in Europe found themselves concerned to intermeddle in it." Denmark, the Dutch and the Emperor supported Poland, directly or indirectly, and were at first joined by Brandenburg, which, however, presently "fell off to Poland." None the less, the Swedes not only prevailed against Poland but nearly conquered Denmark. The Protector, "though he wished in general the prosperity of the Swede . . . yet did not like, that the Swede should conquer the Dane — and . . . engross the whole trade of the Baltic Sea, wherein England is so much concerned," and so in time intervened to make peace.

Such is a brief summary of the account of this well-informed and astute participant in the great affairs of state in this period. Though it omits much consideration of English affairs in the near and far East, as the Protector's documents witness, neither he nor some of his advisers were indifferent to those wider interests, and the close interconnection between government and business; though not peculiar to the Protectorate, is one of its outstanding characteristics. If the "Protestant Interest" played a more conspicuous part in its affairs, the commercial interest was no less a chief concern of a government which, as has been said, "kept one eye on the Lord and the other on the main chance." In that it seemed peculiarly successful at this moment but that success was not so evident then as it seems to a later generation, for the triumphs of Blake and the Western Design were still to come. The Protector and his

²*Ibid.*, pp. 193-215.



CROMWELL BETWEEN THE PILLARS

FAITHORNE'S CELEBRATED ENGRAVING, FROM A COPY IN THE POSSESSION
OF THE AUTHOR (22 $\frac{1}{8}$ " x 16 $\frac{3}{4}$ ")

advisers were not wholly easy in their minds, and it was probably about this time that in reply to Lambert's appeal on behalf of Silius Titus that Henry Coventry reported to Ormonde, Cromwell replied "See you not the dangers and troubles we are in, and is this a time to grant men favors?"³

At the same time he seems to have written to Robert Gibbon, governor of Elizabeth Castle, in regard to John Lilburne, whose family's petition to remove him to some place nearer home was apparently satisfied by his transfer to Dover, while Ashburnham was moved to Deal.⁴ To the troop commanders near Wakefield he gave orders to delay the musters from June 28 to July 12, for some reason now unknown:

*For Captain Pickring or Lt. Wadsworth these, near Wakefield,
These, Haste.*

Sir,

Whereas you are by your instructions to muster the troop you are appointed to raise in the county of York, upon the 24th of this instant before such persons as should be appointed by us for that purpose, We have thought it necessary to let you know that in respect several captains who are to raise troops in other places are not ready for their musters at that day, we judge the 12th of July next to be a more convenient time for that business, and therefore would have you put off the muster until the said 12th of July, by which [time] all the troops will be ready and persons appointed to take the musters. We rest,

Your loving friend,

Whitehall, June 29th, 1655.

OLIVER P.⁵

It was at this time, too, according to the usually trustworthy Venetian envoy, that the Protector took a step of more than ordinary importance. During the preceding fortnight, Paulucci wrote, Cromwell summoned the various judges, commissioners and lieutenants whom he had appointed in the various counties to discuss the situation in which the country found itself. These men he entertained, and consulted with them, reputedly in regard to measures concerning the legislative power, or perhaps even as to the project of changing his title,⁶ to which, it was said, the Council was opposed.⁷ Such a meeting of the functionaries and

³ June 30/July 10, *Hist. MSS. Comm. Repts., Kilkenny MSS.*, n.s. i, 321.

⁴ Mentioned in Gibbon's letter in Thurloe, iii, 587. Gibbon notes having received two letters from Cromwell by Mr. Dewell, Mrs. Lilburne's father, on June 29. Lilburne was a troublesome prisoner more than "tenn such as Ashburnham." He was taken to Dover in October, 1655 (*Cal. S. P. Dom.*, 1655, p. 556). See Mrs. Lilburne's petition, July 31 (*ibid.*, p. 263). Gibbon also notes that "yesterday Mr. Ashburnham's man came with your Highness' order to removt him to Deal Castle," of which Tavernier was governot, Oct. 11.

⁵ Original with address signed by R. Lilburne in Pierpoint Morgan Library, N. Y.

⁶ Paulucci to Sagredo, July 1/11, *Cal. S. P. Ven.* (1655-6), p. 86.

⁷ Stockholm Trans. (Coyet to Charles X, July 20, 1655).

agents of the Protectoral system was a new and extraordinary measure and seems to indicate the Protector's recognition of the discontent in the country and an endeavor to discover some way out of the difficulties of the government at home. Neither monarchical nor Parliamentary, if it was to succeed in maintaining and perpetuating itself some means must be found to secure more popular support, for military ascendancy was not enough. Such meetings as this, therefore, were — like the great official dinners of an earlier day — designed not only to demonstrate the strength and unity of the party in power but to devise, if possible, a broader and more substantial basis for the Protectorate.

It is apparent, moreover, that, for whatever reason, the Protector was unusually busy even for him in these days. When he returned on Tuesday from his now customary week-end in Hampton Court,⁸ he made up for his absences from the Council in the preceding week by attending five of its meetings in the next four days,⁹ though they were concerned ostensibly only with minor matters of routine administration — petitions, relief of godly ministers, revocation of letters of marque, pensions and the like.¹⁰ Among these items two were of greater importance. The first was the reduction of five foot regiments in England to 800 men each and the reduction of 44 garrisons, of which five were abandoned entirely.¹¹ The second was the problem of the silver seized on the Dutch ship *Samson*, which had been claimed by the Spanish ambassador as money destined for the pay of his master's troops in the Netherlands. To add to the already difficult situation which its seizure had caused, it appears that some of the money had been embezzled on the way from Gravesend to the Tower, and efforts to recover it added to the embarrassment of the government at a moment when it was especially necessary to keep on good terms with the Dutch and — for the time at least — with Spain.¹²

⁸ Paulucci to Sagredo, July 8/18, *Cal. S. P. Ven.* (1655-6), p. 82.

⁹ *Cal. S. P. Dom.* (1655), p. xxvii.

¹⁰ *Ibid.*, p. 226, petition of inhabitants of St. Botolph's Without, Bishopsgate, to appoint Sam. Lee to replace Dan. Nicholls, appointed by the Protector April 27, 1654, during the sequestration of Neh. Rogers and restraint, on petition of a few parishioners, of John Simpson; Rich. Abbott, receiver of revenues for Essex, Herts, Middlesex and London (appointed by Cromwell) for repayment of overpayment on his account; Elinor Hill for warrant for her pension (cp. this work, ii, 477) so she may "plant" in Ireland (*Cal. S. P. Dom.* (1655), pp. 226-7); like petition from Marg. Frewin, both signed by Cromwell and referred to Council, with orders to pay (*ibid.*, p. 227). From Thos. Vallor for confirmation of title to farm bought from a Papist in arms, referred in Council to Court of Exchequer (*ibid.*, p. 228); from Ann Pregon for continuance of annuity from Registrar's office in Lincoln (*ibid.*, p. 230); from Rob. Moore, dispossessed in Ireland, for relief (*ibid.*, p. 231). Letters of marque revoked (*ibid.*, p. 229), agreed to July 11, to go into effect Aug. 1 (*ibid.*, p. 237).

¹¹ *Ibid.*, pp. 229-30.

¹² *Ibid.*, pp. 228-9. Cp. also *ibid.* (1652-3), p. 405; (1653-4), p. 283; (1655), pp. 229, 293-4, 360-1.

Mingled with these, as usual, were other matters of less general importance: a proclamation for relief of "godly ministers against suits and molestations by persons sequestered, ejected or not approved";¹³ a recommendation to the Council for a pension to one Mary Bourden of Corsham; the response to a petition from William Franklin of Boston and a Council recommendation, in the form of an order to find him a post "suitable to his experience," which, as it turned out, was in the customs service;¹⁴ and an order to the governor of Pendennis Castle:

OLIVER P.

By His Highness the Lord Protector.

Being satisfied that Captain William Bourden died in the Parliament service in Ireland and that he left behind him a wife and many children in a very poor condition and his wife much in debt and that he first took up arms in the county of Wilts, It is our will and pleasure and we do hereby order that the Justices¹⁵ of the Peace for the county of Wilts do allow unto the widow of the said Captain Bourden a competent pension for the maintenance of herself and children.

Given at Whitehall, the fourth day of July 1655.

(Note by the Court):

Allowed 5 l. from the Treasurer of maimed soldiers for the north part out of the surplusage of his account, and in Easter Session next the Court will further consider thereof.

Easter Session: Allowed 5 l. quarterly.¹⁶

To Our Trusty & Welbeloved the Commissioners of Our Customs

OLIVER P.

Trusty and Welbeloved we greet you well,

Address hath been made unto us by William Franklin of Boston in New England who by his petition sets forth his great losses partly by Prince Rupert within the King of Portugal's territories and partly by the Hollanders to the ruin of himself and his family; which we referring to our Council's consideration they found him under an incapacity of relief in an ordinary way through the not exhibiting his claim in time, occasioned by his distance, and the loss of his papers; and therefore and because they found him recommended by some eminent persons both here and in New England as godly, and in respect of his being bred up in a way of trade, they presented him to us as a fit object of our respect and favour, wherein we fully complying (being well satisfied of his piety, experience and fitness for trust) we do hereby recommend it to you that by the first opportunity of a vacant place under you suitable to his breeding, you will settle him therein, which will tend as to the relief of an honest and

¹³ *Perf. Diurn.*, July 5; Crawford, i, 388; *Cal. S. P. Dom.* (1655), pp. 224-5.

¹⁴ *Cal. S. P. Col.* (1574-1660), pp. 424-6.

¹⁵ "Bishoppes" ruled out.

¹⁶ Original in Quarter Session Records of Wilts, *Register* at Trowbridge. Communicated by Mr. W. L. Mun, Clerk of the Peace. Cal. in *Hist. MSS. Comm. Repts.*, *Various Collections*, i, 127, with note that Wm. Burdon of Corsham had laid out £100 in horses on coming to his troop, and that £4 was allowed him.

suffering person, so we hope it will be for the Commonwealth's service. Given at Whitehall, this 6th day of July 1655.¹⁷

*To Our Trusty and Welbeloved Captain John Fox, Governor
of Our Castle of Pendennis in Cornwall*

OLIVER P.

Whereas the Parliament in the year 1652 on desire of the Generals-at-Sea and officers of the Navy, and the petition of the then Governor and officers of the garrison of Pendennis Castle did for the benefit of the inhabitants living at and near to the town of Smithwick in Cornwall grant a market to be held in that town one day in a week, which is accordingly observed, and an advantage thereby accrued to the public, as in other respects, so in reference to the customs, which hath induced the Commissioners of the Customs to place a comptroller there, And whereas we are very willing to encourage all things tending to a public benefit, we have therefore thought fit hereby to signify to you that your countenancing and improving of that market as you shall have opportunity and your giving all fit encouragement to those employed about the customs there will be a service very acceptable unto us, and so will your doing of all friendly respects to Sir Peter Killigrew having some estate near to Pendennis, where his house was also burned, and the remainder thereof as we are given to understand destroyed or disposed of by the Parliament's forces, for which as yet he hath received no satisfaction.¹⁸

6th July 1655.

It appears also that there had been appointed another committee of officers, for the Council suggested that Scobell be relieved from his other duties to attend that body while it was in session,¹⁹ and it may be noted that scarcely anywhere else in his career is there a better example of the manifold detail which pressed on the hero of the civil wars for attention. Nor was this all the annoyance of this moment, for on July 3 John Biddle, the Unitarian, who had been out on bail since early in the year, was seized again on account of his dispute with one Griffin, a Baptist, first held at St. Paul's, then postponed, and not resumed on account of Biddle's incarceration first in the Poultry Compter, then in Newgate. He was arrested for violation of the Blasphemy Act, on the specific charge of "publickly denying, that Jesus Christ was the Almighty or Most High God." This raised at once the old protest against freedom of speech. Numerous petitions were addressed to the Protector declaring that Biddle's imprisonment was a flagrant violation of the *Instrument of Government*, and Biddle based his defence on that Instrument "which Cromwell had so recently preserved against the assaults of

¹⁷ Copy in Rawl. MSS. A 261, f. 50. Cp. Pub. Col. Soc. of Mass., viii, *Trans.*, 102-4. See May 17, 1655, above.

¹⁸ Copy in Rawl. MSS. A 261, f. 50v.

¹⁹ Cal. S. P. Dom. (1655), p. 231.

orthodoxy."²⁰ It was a difficult situation and it appears from later events that the Protector, however he may have disagreed with Biddle's tenets, was inclined toward leniency, if not, indeed, protection for the Unitarian champion. Apart from his own disinclination to persecute dissenters of whatever belief, he was confronted by the practical problem of the inconsistencies between the theory and practice of toleration among his own followers and the difficulties which those inconsistencies engendered.

It was not possible, in fact, to be consistent in the complicated situation of affairs, nor was that to be expected. On July 6 the Protector issued a proclamation which echoed those of earlier years ordering all Royalists to depart from London, Westminster and the "late lines of communication,"²¹ while at the same time permits were given to several of that party to remain²² and various men of "Cavalier stamp" who had been in prison were set free.²³ This coincided with a change in the incumbency of a post in the garrison of the Tower. Colonel White was expected to resign and for his place that eminent divine, Ralph Cudworth, master of Christ's College, Cambridge, after his fashion of recommending promising young men to posts under the Protector, added his solicitations to those of Colonels Goffe and Reynolds in behalf of a Dr. Cummins, whom he asked his friend Thurloe to introduce to the Protector.²⁴ That same July 6 was notable also for the appearance of George Withers's characteristic poem on the Protector with its fulsome — and somewhat flatulent — praise of the ruler and his office:

This glorious title hath in it exprest
No stamp of self-selection like the rest,
But marks forth one (as if from Heaven sent down)
Who seeks his people's weal more than his own.

And nobler is, in that respect, than those
Loud-sounding titles which our fathers chose.²⁵

More to the point, perhaps, is a letter of that date from the eminent Royalist-Anglican divine, Bruno Ryves, to his friend Jessop commanding the Protector's approval of the printing of the Bible "in the original and

²⁰ W. K. Jordan, *Development of Religious Toleration*, iii, 206-7, citing *The Spirit of Persecution again Broken Loose*, p. 5, and *Hist. MSS. Comm. Rept.* 5, App. p. 176. See also *Cal. S. P. Dom.* (1655), p. 224.

²¹ Crawford, i, 368; cp. *Cal. S. P. Dom.* (1655), pp. 232-3; Thurloe, iii, 637 (Nieupoort to States Gen., July 13/23, 1655). It was published July 9 (*Perf. Diurn.*).

²² *Cal. S. P. Dom.* (1655), pp. 236ff, 241, 592.

²³ *Perf. Diurn.*, July 7. Lord Grey of Groby, among others, was set free (*Cal. S. P. Dom.*, 1655, p. 241).

²⁴ Thurloe, iii, 614-15.

²⁵ See Abbott, *Bibliog. of O. C.*, no. 800.

other learned languages,"²⁶ apparently Brian Walton's Polyglot Bible, then in the press.²⁷

For the moment there seems to have been some little activity in Irish and continental affairs. From Hamburg came complaints that the Protector's letters had done little good and that Townley and the Merchant Adventurers were still making trouble for the resident.²⁸ Nieupoort, who had been instructed to sound out the Protector in regard to Sweden; to show him the common benefits to England, the Netherlands and Denmark in preserving Dunkirk; and to ask for a treaty to this end, apparently had another audience on July 4 about the seizure of ships belonging to the Dutch, and the Protector was reported as expressing disgust at the continuance of this practice.²⁹ It was probably, in part at least, this repeated complaint which moved the Council to revoke the letters of marque and reprisal.³⁰ Thereupon Coyet took pains to ask for an audience to "counteract whatever disadvantage to the Swedish King the Dutch dispatch had brought," because he believed that Nieupoort was inclined to speak ill of the plans of the Swedes, especially of their arming against Poland. When, therefore, Coyet was with the Protector on July 6 he talked chiefly about alliance between Sweden and England for the protection of the Baltic.

To this the Protector answered as usual, first with a great deal of well-wishing, as well as declarations of friendship and gladness, and then said he wishes to mention some special "particulars" concerning the question of a closer alliance with Sweden, but not just now; he wishes first to think it over a bit.

Coyet mentioned the Dutch threat to send a fleet of warships into the Baltic to hinder Sweden's designs and stressed the King's desire that the Protector do what he could to prevent the Dutch from hindering the Swedes.

The Protector's answer, which became quite arrogant, was in brief as follows: he did not wish only to favour and encourage the lawful interest of the Swedish King without showing his "bona officia" to the Dutch so that they could neither hinder him nor do him any harm; he could not see what advantage the Dutch could gain in sending a fleet of warships to the Sound and the Baltic, and moreover he found that it was to England's own interest that Charles X's undertaking against Poland should end favourably and well.³¹

²⁶ Ryves to Jessop, *Cal. S. P. Dom.* (1655), p. 234.

²⁷ See above in this volume, pp. 27-28.

²⁸ Bradshaw to Thurloe, July 3; same to Cromwell, Thurloe, iii, 604-6.

²⁹ Intelligence, July 6/16, 20/30, *ibid.*, pp. 618, 669; Nieupoort to de Witt, *ibid.*, pp. 623-4.

³⁰ Proc. July 12. Council Order Book quot. in Gardiner, *Comm. and Prot.*, iv, 191n.

³¹ Carlbom, pp. 29-31.

Cardenas, returning from accompanying de Lede on his way home, submitted articles for a treaty with England to his king, but now found himself in disfavor in England because several alterations had been made.³² At the same time, Blake, in the Mediterranean, received the Protector's letter of June 13, which he acknowledged on July 4, noting in his reply the secret instructions of June 14 in regard to the Plate fleet from America,³³ and two days later wrote to plead for supplies.³⁴ In the Piedmont business the Protector and Council ordered a committee to select an agent to go to Switzerland under instructions which should be prepared in accordance with the Council debate of July 6;³⁵ and the French desired to have the Protector informed that they had done their best and could do no more than entreat the Duke of Savoy.³⁶ Finally, on July 4 the referees appointed by the Protector in the East India case petitioned him to order payment of the £85,000 in the hands of Viner and Riccard to distribute among those interested, which was ordered done on July 10.³⁷

So far as Ireland was concerned, by July 9 Henry Cromwell had reached Dublin³⁸ and was followed by additional instructions to the Irish officials:

Additional Instructions to the Lord Deputy and Council.

1. You are authorised and empowered by yourselves or whom you shall appoint to compound with persons who have rents, statutes, mortgages or other encumbrances upon any the rebels' estates, by allowing such persons certain proportions of the same lands in Ireland liable thereunto, or by some other way equitably according to the value of such rent or encumbrance and the right of such person or persons claiming the same, so as the rest of the said lands may be disburdened of such charge or encumbrance for the advantage of the State.

2. In case any of the lands or estate of any Irish rebel, who is to be transplanted into Connaught, be charged with any rent, statute, mortgage or other encumbrance, you are authorised and empowered to give order in the first place for defalking out of the value of the lands and estate of such person so much as shall be sufficient to answer and discharge such rent, statute, mortgage or encumbrance and then to give order that the proportion, which such person is to have in Connaught, by any Qualification in the Act for Settling Ireland, shall be made according to the value of the clear estate of such person after such defalcation as aforesaid.

3. Whereas by an Act of Parliament, entitled 'An Act for the speedy and

³² Paulucci to Sagredo, July 8/18, *Cal. S. P. Ven.* (1655-6), p. 83.

³³ Thurloe, iii, 611-2.

³⁴ *Ibid.*, p. 620.

³⁵ *Cal. S. P. Dom.* (1655), p. 232.

³⁶ Thurloe, iii, 617.

³⁷ Foster, *Court Minutes*, v, 36.

³⁸ Fleetwood to Thurloe, July 11, Thurloe, iii, 632; Nath. Brewster to Thurloe, July 18, *ibid.*, p. 660; Capt. Nutton to Adm. Comm., July 19, *Cal. S. P. Dom.* (1655), p. 506.

effectual satisfying of the Adventurers for lands in Ireland and of the arrears due to the soldiery there,' the County of Louth is declared to be in Leinster, you are to deem and take the same so to be and to cause the same so to be deemed and taken to all intents and purposes.

4. Whereas by an Ordinance of 2nd September last, entituled 'An Ordinance for admitting Protestants in Ireland to compound,' liberty was given for such composition for the benefit of such persons, who have nevertheless delayed to perfect their compositions in all this time, to the prejudice of the public service, you are authorised and required to declare and publish that no Protestant in Ireland, claiming any benefit by that Ordinance, shall from and after 25th December next be admitted to any such composition by force of the said Ordinance, to the end the lands and estates of such persons may from thenceforth be improved to the best advantage of the State, as others not admitted to compound.

5. To the end that, in all judgments that shall be hereafter given by the Commissioners in England for giving relief unto persons upon Articles, care may be had that the Commonwealth may not be wronged for want of a due information of the state of the case concerning such persons as shall claim the benefit of articles granted in Ireland, you shall from time to time, as there shall be cause, nominate and appoint some fit and able persons duly to examine and to state the nature of fact concerning such persons as shall seek relief before the said Commissioners here, to the end the matter of fact so by them stated may be transmitted to the said Commissioners of Articles, before they proceed to determine such case.

6. Whereas by an Ordinance of 31st March 1654, entituled 'An Ordinance for better provision for maimed soldiers and old widows and orphans in Ireland,' divers forfeited lands in the baronies of Balrothery, Coolock and Imokelly are appointed for that purpose, forasmuch as it hath been found impracticable to give satisfaction unto them by lands in respect of the smallness of the quantities that the respective arrears would amount unto, and the difficulty in setting out such proportions to every of them, whereby they have not hitherto nor can probably reap that benefit and relief intended to them, and the residue of the lands there have not been improved, which hath been to the prejudice of the Commonwealth, to the end therefore the benefit intended to such maimed soldiers, and old widows, and orphans may be made effectual, you are empowered and authorised to give satisfaction in money, unto such of them as shall desire the same, for their proportions of land which they may claim out of any of the said baronies by force of the said Ordinance, and take care that such lands for which you shall so compound and give satisfaction be settled and employed to the use and benefit the Commonwealth.

7. You are authorised to give order that all leases of lands let by the Commissioners of the Commonwealth in Ireland, by authority according to Instructions, and since fallen by lot to the Adventurers, be transferred to the respective Adventurers upon such terms and conditions of improvement and advantage to them as have been made or given upon the State's account, and in the cases where the condition to be performed by the tenants refers not to private advantage of the Adventurers but to public concernment, you have hereby power to agree the same in such an equitable way as you shall think fit; and that in

such cases where the lessees have not on their part performed their conditions in point of planting and improving the lands demised or otherwise where leases have been obtained upon other terms than by the authority and instructions given to the Commissioners for the Revenue were appointed, the Adventurers be put into possession by the sheriff of the county where those lands lie, upon order for that purpose to be directed from such persons as you shall appoint to hear and determine such cases, and you are hereby empowered to appoint such persons as you shall think fit for that purpose accordingly.³⁹

To these various matters was added the negotiation with Sweden. As appears from the Protector's instructions to Major Elton, lieutenant-governor of Hull, this involved the succor of a ship which carried some of the retinue, horses and baggage of the Swedish ambassador which had been driven into that port. But it involved more than that, since it appears that the vessel also carried Lord Cranstoun, son-in-law of the Earl of Leven who had long served Gustavus Adolphus, then Charles I, and who was now prisoner in the Tower. Cranstoun had contracted with Charles X to raise 2,000 Scots for the Swedish army and had been given a pass to go to Sweden almost a year earlier,⁴⁰ so that it would seem that despite the various reports in regard to this matter, the policy of stripping Scotland of her fighting-men was still in force. Closely connected with this was the preparation for the mission of Edward Rolt to Charles X, including his instructions which seem to date from about this time, though he did not, apparently, start before July 28.⁴¹ And on the same date as the warrant for Rolt's expenses was issued a patent appointing Gibbon, Lemrière and five others commissioners for compounding with delinquents in Jersey, which reveals, among other things, that the revenue from such sources had not yet been quite exhausted, though it was rapidly disappearing:⁴²

³⁹ Dunlop, *Ireland under the Commonwealth*, ii, 518-26. Dunlop says these instructions were undated but were received by Henry Cromwell and Sir John Reynolds July 11, 1655.

⁴⁰ The Protector's pass for Cranstoun to go to Sweden, dated July 26, 1654, is in *Royal MSS.*, A328, f. 83. See also Cromwell's letter of Oct. 12, 1654, *supra*.

⁴¹ Warrant for £200 on June 9 from Frost to Rolt "towards preparing for his journey." (*Cal. S. P. Dom.*, 1655, p. 605). Another on July 10 for £300 "for his journey to Sweden" (*ibid.*, p. 606). Guernsey Jones suggests July 10-18 as the date of his departure. *Perf. Diurn.*, June 8, says that Rolt was to go to Sweden with ratification of the treaty, and *Cal. S. P. Dom.* (1655), p. 594, has a license for the export of six horses for Rolt, "going to Sweden." The Council had asked the Protector on June 9 to send a fit person to Sweden with the ratification (*Cal. S. P. Dom.*, 1655, p. 198).

⁴² Ordered March 14, 1654-5; petition for suspension of patent, Aug. 30, 1655. (*Ibid.*, pp. 305-6.)

*To Major Elton, Lieutenant Governor of the Town of
Kingston upon Hull*

Sir,

I have seen your letter to Major General Lambert and understand thereby that there is driven into Hull a ship with some of the retinue, horses and baggage of the Ambassador coming hither from the King of Swethland, and that with them is come the Lord Cranston a Scotchman whose contract with the said King to raise 2000 men in this Commonwealth, and also a letter in his behalf I have received, his contract I have sent back to you, and would have you redeliver it up to him and set him at liberty, taking his parol to appear here without delay, for which end it will be necessary that you give him a pass. For the Ambassador's retinue you are to use them with all possible respect and civility, affording them such accommodations as they shall need for conveying their goods hither, or otherwise as they shall desire, and to assist them in the impressing of any ships or vessels for that purpose, and we have sent you our warrant herein enclosed to impress ships for that service, if there shall be need thereof. I would have you acquaint those who are of the said Ambassador's retinue with these our commands, and rest,

Your loving friend,

Whitehall, 9th July, 1655.

OLIVER P.

We do not yet hear of the Ambassador's arrival in England.⁴³

*Instructions unto Edward Rolt, esq; one of the gentlemen of our privy chamber,
upon his going to Sweden.*

1. Upon your receipt of these instructions, our credentiall letters to his majestie the king of Swethland, and our ratification of the treaty lately made and concluded at Stockholm betweene the plenipotentiarys and commissioners of us and the most serene and potent lady Christina, late queene of Sweden, and such other papers, as shall be delivered unto you by our secretarye of state, you shall without any delay repaire on board the ship appointed for your transportation, now in the Downes; and, as soon as wind and weather shall permitt, shall saile to Hamborough; where you shall direct your course to such places, where you shall understand the king of Swethland to be.

2. And upon your arrivall with the king, you shall desire audience of his majestie; and at your audience shall salute him in our name, expressinge to him the great esteeme wee have of his friendship and amitie, and that no meanes shal be omitted on our parte, which may give him demonstration thereof. That wee doe congratulate his accesse to the gouvernement; and wish him all prosperity and good successe in the manadgment thereof. That as wee doe with much content ratifie the treaty made with the queene of Sweden, soe wee shall with all care and realtye see the same firmly and inviolably observed on our parte; and have sent our ratification thereof unto his majestie by you, com-

⁴³ Copy in Rawl. MSS. A 261, ff. 50v-51. See Broghill to Thurloe, Sept. 18, 1655 (Thurloe, iv, 41), noting that Leslie's son-in-law (Cranstoun) had a license from H. H. to raise men for Sweden. License for him to raise 1,000 men entered in Council Feb. 28, 1655-6 (*ibid.*, p. 561). See Letter of Charles II to Alex. Leslie, Earl of Leven, Aug. 12, 1655, protesting the contract to levy and transport men for the service of a foreign prince. (Firth, *Scotland and the Protectorate*, p. 297.)

mandinge you to assure him, that we shall contribute our endeavours for contracting a nearer union and alliance with the crowne of Sweden; and that wee doe not doubt but to finde the same inclination in his majestie, seeing he hath, since his accession to the crowne, expressed so much his affection to us and this commonwealth, and particularly, that he hath been pleased to send unto us an extraordinary ambassador, who, you may assure his majestie, is welcome to us, using such further expressions as you shall judge fitt of our good will unto his majestie. And, at the close of your speech, shall deliver our credential letters, and acquaint his majestie that you are ready to deliver the ratification, as he shall direct.

3. Dureinge your abode in that court, you shall endeavour to informe your selfe of all occurrents, either relatinge to this commonwealth, or other states, and shall certifie us thereof.

4. You shall endeavour to keepe and preserve all good correspondence between us and the said kinge and crowne of Sweden; and to remove any jealousies, which you shall observe to growe in the said kinge, concerninge us and our commonwealth.

5. If any ambassador, resident, envoye, or other agent or minister, should be sent unto the king from Charles Stewart, as king of Great Britain and Ireland, you shall endeavour to hinder his reception. And if you finde it necessary, you are impowered to protest against it, as being contrary to the amity, which is betweene England and Sweden.

6. Whereas monsieur Coyet hath demanded of his highnes, that the kinge his master may have libertie to leavy six or seven thousand soldiery in Scotland; in case the kinge or any of his ministers shall make mention of this busyness unto you, you shall give assurance of our readiness to doe in this or any other particular, which may be of advantage to the kinge, as farre as may stand with the condition of our owne affairs at home, which were in such a posture, as would not suffer us to give a present consent therein; but have taken it into our consideration, and will acquaint monsieur Coyet, or the ambassador extraordinary, with what we shall resolve therein; which his majestie may assure himself will be with respect to that amitie and good understanding, which is betweene us.

7. In case any thing be moved unto you concerning that article in the treatie, whereof satisfaction is to be given for the losses and damages susteyned in the warr with the Dutch; you shall have herewith copies of the papers past betweene our commissioners and the said monsieur Coyet; accordinge to which you shall regulate your selfe in your discoursinge on that subject.

8. You shall give unto us a frequent account of your negotiation, and shall observe such further instructions, as shall be from tyme to tyme sent unto you.⁴⁴

The proposal of Cranstoun and the instructions to Rolt grew more or less directly out of a new development in European affairs. On this same tenth of July, 1655, Charles X Gustavus, who had succeeded his cousin Queen Christina on her abdication a year earlier, launched an attack on Poland which at once not only involved the eastern European states but had strong repercussions in the west. The Swedish king's ambitions naturally alarmed Denmark and Brandenburg in particular, and the

⁴⁴ Thurloe, iii, 418-9. In Thurloe's handwriting.

United Provinces, even England, were disturbed at the effort to convert the Baltic into a Swedish lake. The Danish ruler, caught between the ambitions of Sweden and Brandenburg, hastened to seek allies. The Elector of Brandenburg endeavored, and not without success, to maintain his position as ruler of East Prussia by playing off Sweden against Poland, joining first one, then the other, as the price of keeping Prussia. All these powers sought the aid of England, Charles X first of all; but from Denmark, Brandenburg, Schleswig-Holstein, Poland, even from distant Transylvania, all implicated in this new and far-reaching disturbance, envoys hurried to the Protector's court for aid and comfort. Far removed as this conflict seemed from English interests, it was connected with them not only by Cranston's project but by danger to English commerce in the Baltic. Nor was this the only evidence of England's widening interest in foreign affairs. On Wednesday of this same week, the Protector held an audience with the Venetian envoy after dinner. Paulucci, who was conducted to the Protector's presence by the Master of Ceremonies, Fleming, and eight other officials, announced the impending arrival of an ambassador extraordinary to solicit aid for Venice in her war with the Turks, but he received only fair words for the Protector replied merely that he was glad that the ambassador was coming and that he wanted to help.⁴⁵ And to the Count of Oldenburg the Protector sent a routine expression of esteem and thanks:

To the most illustrious Lord Anton Gunther,
Count of Oldenburg etc.

Most illustrious lord.

We deeply cherish with mutual regard that kindly disposition of feeling toward us that your letters consistently reveal. Since the expression of your desire to keep our esteem is very gratifying to us, we readily release you from any anxiety in that regard; for you so completely have our esteem both because of your own personal qualities and because of the unusual favors you have bestowed upon us that no consideration of space can destroy it. That you have been pleased to express your goodwill toward us not only in generous language but also actually to give witness to it by a gift of stags we have rightly attributed to your generous feeling toward us. This will always keep us bounden to repay all the obligations of our gratitude and goodwill in whatever way our friendship will serve you. For the rest, we sincerely pray for your success and happiness. Given at our Hall at Westminster the 13th of July, 1655.

OLIVER P.⁴⁶

Besides these, two other foreign problems held the stage. The first was an effort to stop privateering, which took the form, apparently, of

⁴⁵ Paulucci to Sagredo, July 15/25, 1655, *Cal. S. P. Ven. (1655-6)*, pp. 85-6; *Perf. Diurn.*, July 11.

⁴⁶ Rawl. MSS. A 261, f. 51. Latin pr. *infra* in App. II (36a).

two proclamations designed to end the use of letters of marque and reprisal. The first of these, earlier advised and agreed to by the Council, appeared on the day after the interview with Paulucci and declared that "after the first day of August next, no further use be made of any letters of Marque or Reprisal granted unto any private person." This, which was issued probably more under pressure from the States General than to end hostilities with the French,⁴⁷ was accompanied or followed by another which gave "notice that the remaining differences betwixt the English and Dutch merchants stand referred to Commissioners to assemble at Amsterdam 20 July,"⁴⁸ which echoed and confirmed the assurances handed to Nieuport by Meadowes earlier. A third proclamation was of a different character and led back to the question of the Piedmontese. It was "for perfecting the Collection for Relief of the Protestant Inhabitants of the Valleys of Lucern, Angrona &c."⁴⁹ To that end the Council had determined that £10,000 be sent, its collection to be "encouraged" by letters from the Protector and Council to the sheriffs who were ordered to discover and report what parishes had failed to make contributions.⁵⁰ The results of this more or less forced contribution are not easy to determine, but one at least is not in much doubt. Contemporary estimates of the sum contributed rise as high as £100,000,⁵¹ but the final total seems to have been £38,232,⁵² and it was conjectured that after a "moderate" sum "has been sent by order of his Highness, the rest will be devoted to naval affairs, which always engage their chief attention here."⁵³ In fact it appears that after all "necessities" had been met, there was a sum of £17,872 left, which was put out at interest with the expectation that the income would provide pensions for the sufferers.⁵⁴ This matter thus set in train, Morland left Turin on July 14 or 15 without receiving any thanks for his own or his master's efforts.⁵⁵ The Duke of Savoy expressed his intention to "par-

⁴⁷ *Perf. Diurn.*, July 12, pub. July 16. Cp. *Cal. S. P. Dom.* (1655), pp. 237, 240; Bordeaux to Brienne, July 20/30, Thurloe, iii, 673; Nieupoort to de Witt, July 6/16, *ibid.*, pp. 623-4; cp. Gardiner, *Comm. and Prot.*, iv, 191; *Perf. Diurn.*, July 12.

⁴⁸ Crawford, i, 368.

⁴⁹ *Ibid.*, no. 3053.

⁵⁰ *Cal. S. P. Dom.* (1655), p. 237; sample letter dated July 12 in *Perf. Diurn.*, July 16; *Clarke Papers*, iii, 45.

⁵¹ Paulucci to Sagredo, July 15/25, *Cal. S. P. Ven.* (1655-6), p. 87.

⁵² See summary of accounts and minutes of the Commissioners in the Record Office in *Eng. Hist. Rev.*, ix, 662 (by W. A. Shaw); cp. abstract in Morland, p. 586.

⁵³ Paulucci to Sagredo, July 15/25, *Cal. S. P. Ven.* (1655-6), p. 87.

⁵⁴ *Eng. Hist. Rev.* ix, 662.

⁵⁵ Morland, p. 580; but cp. Gardiner, *Comm. and Prot.*, iv, 189, for date, and Thurloe, iii, 654, 657.

don" the Protestants, nominally on account of Cromwell's intercession, but fully as probably on account of pressure put on him by Mazarin,⁵⁶ which, in turn, however, might be credited to the Protector's influence on the French minister.

Meanwhile the transplantation scheme was being carried forward in Ireland under all the disadvantages which accompany such a programme. Petty was busy with his great survey. Fleetwood, in accord with the Protector, was bitterly opposed to those who objected to the policy, especially to Vincent Gookin whose influence seems to have softened somewhat the original severity of the plan. It was impossible, in fact, to transfer the whole body of Irish, partly because of the disinclination of men to leave their homes, partly because of the impossibility of replacing the labor which would be lost by emigration. Petty, who was the best authority on the subject, observed that five-ninths of the lands of the Irish Catholics remained in their hands or had been restored to them by 1671; that 35,000 Irish soldiers had gone abroad; and that of 33,000 English soldiers sent to subdue the rebels, "not 10 have £1,000 per annum, nor 1/10 of that number any lands at all."⁵⁷

In general it has been argued that "too much has been made of Cromwell's 'Hell or Connaught' policy," and that there was far less actual transplantation of population or transfer of landlords than has often been asserted.⁵⁸ On the other hand, Fleetwood was especially severe on the Catholics. On July 14 he defined by declaration "those who had borne arms" as including even those who had been forced to attend any rendezvous,⁵⁹ and reminded the soldiers that any further neglect to search for persons condemned to transportation would merit court-martial.⁶⁰ Nor was it even a profitable transaction. As Petty noted, the charge of reducing the rebellion from 1641 to 1653 was "above 10 times as much as all the lands of Ireland would have been sold for in . . . 1653."⁶¹ If the statements of this best-informed man of his time are even approximately correct, the policy was neither as drastic nor as successful as has been claimed. It was bad enough, but it is not the first time that a grievance has been of more political importance than an abuse; and to Continental Catholics, as well as to the Irish, it ill accorded with the Protector's protests over the transplantation of the Vaudois.

The Irish question was but one of the domestic problems which confronted the Protector's administration. While the Council meetings in

⁵⁶ Morland, p. 580.

⁵⁷ *The Petty Papers* (ed. by the Marquis of Lansdowne, L., 1927), i, 229.

⁵⁸ *Ibid.*, p. 229n.

⁵⁹ Gardiner, *Comm. and Prot.*, iv, 117.

⁶⁰ *Declaration by the Deputy*, July 14.

⁶¹ *Petty Papers*, i, 228-9.

this mid-July week, of which the Protector attended only one, were chiefly concerned, as usual, with petitions⁶² referred by him to that body, the appointment of a committee on trade,⁶³ Thurloe's report on instructions to Blake concerning £50,000 payable by Portugal, and advice to the Protector to send an ambassador to settle the matter,⁶⁴ marked definite progress in foreign affairs. But the chief business was the "establishment . . . made and concluded upon by his Highness the Lord Protector and Council, for the foot forces in field and garrison in England and Wales, to commence from Monday 23 July . . . 1655." This included wages, fire and candles but not clothes, arms or other equipment for five regiments of 4,000 men, besides officers, and for 43 garrisons, totaling £12,954 8/4 a month,⁶⁵ which involved an order from the Protector on the next day for continuing the Army Committee and assessments like that of March 14, and giving it the disposal of the moneys paid in before December 25, 1655.⁶⁶ On that same day, July 13th, he took occasion of the judges' setting out on their circuits to make "a very learned speech, wherein he did most emphatically declare the sum of their duties, and how they ought to deport themselves in their places."⁶⁷

Before he left for Hampton Court on Friday or Saturday, he recommended to Fleetwood and his Council the petition of a member of the great Roche family, who had been caught in the transplantation scheme and had appealed to the Protector for assistance:

*For the Right Hon. the Lord Deputy and Council in Ireland
MY LORDS AND GENTLEMEN,*

The enclosed petition being presented to us by Col. Jephson, we could do no less than earnestly recommend the same unto you, judging it very reasonable, and a matter of great justice (if what is alleged therein be made appear unto

⁶² Petitions: July 9, Francis Lippincott and Capt. John Bodiley, administrator of Henry Gough, for payment of their debts out of delinquents' estates (*Cal. S. P. Dom.* (1655), p. 234); July 11, Rich Tottington and others of Worsborough, Yorks, to collect charity for relief for fire (*ibid.*, p. 236); July 13, Richard Willis for £223 for use of his rooms by the State (*ibid.*, pp. 241-2); Geo. Bromley and 39 others "who have lent money on the public faith, and are unable to double what they lent" (*ibid.*, p. 242); Mich. Baker, Thos. Parker, Keilway Guydott, Edw. Osbaldiston for allowances as messengers of the Exchequer appointed by Protector in Oct., 1654 (*ibid.*, pp. 242-3).

⁶³ *Ibid.*, p. 240.

⁶⁴ *Ibid.*, p. 241.

⁶⁵ *Ibid.*, pp. 238-9. Amended July 26 (*ibid.*, pp. 260-1).

⁶⁶ *Ibid.*, p. 244. Of same date, order of H. H. to take up "of John Talbot, Receiver-General of Assessment for co. Devon, to pay off 8 companies of Sir John Copleston's regiment, 2,559l 16s. 2d., on receipt from Maj. John Blackmore" (*ibid.*, pp. 241, 342).

⁶⁷ *Certain Passages*, July 14; *Clarke Papers*, iii, 45.

you upon the place), that the orphan Tibbot Roche be restored to the possession of his father's lands and estate, and that some other lands in Ireland (not yet disposed of) be assigned to those officers and soldiers to whose lot the lands of the said orphan are fallen for satisfaction of their arrears. We shall not need to use any further arguments to press you to this our desire, the case itself (as represented) being so just and equitable. We rest,

Your very loving friend,

Hampton Court, 16 July, 1655.

OLIVER P.⁶⁸

Immediately on his return to Westminster, it was reported that he sat with the Council in Whitehall "having several weighty things under consideration,"⁶⁹ though, except for one thing, it does not appear what they were. The exception was a draft of instructions to George Downing, that second graduate of Harvard College in New England, who, after a career as a teacher there, ship's chaplain and minister, army chaplain and scout-master, now began the diplomatic activities, for which he is best known, as an emissary to Switzerland.⁷⁰ On the 19th the reduction of all regiments from 1,000 to 800 men was made public,⁷¹ and in the Council next day, when the Protector sat with them "very private,"⁷² the proposed reductions were itemized and it was ordered that "the pay of the Commander-in-chief of England, Scotland and Ireland [that is to say his own] be humbly left to his Highness."⁷³ With these went lesser matters — permission by the Protector for Nicholas Lechmere of the Middle Temple, eminent as a judge and a founder of Greenwich Hospital, and a supporter of the Protectorate, to practise within the bar in all the courts of Westminster;⁷⁴ and the proclamation putting into effect laws for setting the price of wine and wheat.⁷⁵

The chief concern of the moment was the question of Sweden. That the Protector agreed with Jo. Vermuyden who wrote Thurloe that Sweden was preparing with Poland, France and the Emperor to fight England⁷⁶ is neither certain nor probable, but there is no doubt but that Cromwell was keenly alive to the shifting balance and policies of the Continental powers. At this moment the Swedish envoy, Bonnel, asked money from the English government for his passage home,⁷⁷ and the

⁶⁸ Lomas-Carlyle, Suppl. 108.

⁶⁹ *Perf. Diurn.*, July 17.

⁷⁰ *Cal. S. P. Dom.* (1655), p. 247. Warrant for £300 for Downing (*ibid.*, p. 606).

⁷¹ *Clarke Papers*, iii, 46.

⁷² *Perf. Diurn.*, July 20.

⁷³ *Cal. S. P. Dom.* (1655), p. 251.

⁷⁴ *Hist. MSS. Comm. Rept.* 5, App., p. 301.

⁷⁵ Crawford, i, 369, no. 3056; published July 23 (*Perf. Diurn.*).

⁷⁶ From Dorchester House, July 16 (Thurloe, iii, 652-53).

⁷⁷ Bonnel to Thurloe, July 17, *ibid.*, p. 655.

new minister, Bonde, arrived at Gravesend.⁷⁸ Nieupoort was not much disturbed at all this, for he was convinced that there would be no alliance with Sweden made without his knowledge, since the Protector had promised to do nothing prejudicial to Dutch interests;⁷⁹ though just a year later the Anglo-Swedish treaty was ratified at Westminster. The Dutch ambassador was at once informed of Pell's mission, the appointment of Downing, and of the fact that Morland was to stay in Turin until further orders;⁸⁰ and on the 20th the Protector instructed Pell, then in Zürich, to assure the Senate of his continued resolve to help the Protestants.⁸¹ And among the minor but interesting incidents of this period it may be noted that the artist Peter Lombard was granted £20 for portraits of the Protector to be presented to the Council,⁸² and George Alkinton was paid £410/4/6 for a gold chain and a jewel with Cromwell's portrait for the Swedish envoy, Coyet, probably to present to his master.⁸³

All these and lesser matters⁸⁴ were, however, overshadowed by affairs of far greater moment, some of which, undoubtedly, had been discussed by the Protector and his Council in their "very private" sessions. From Jamaica complaints were sent from Fortescue on his own behalf and that of the soldiers, and from the field officers,⁸⁵ confirming the news of the defeat suffered in the West Indies. This was particularly bitter for the Protector since he was personally responsible for the expedition. But if the Spanish ambassador was encouraged at the news from the West and its effect on Cromwell, the French were no less heartened, partly because their recent successes against the Spaniards in the Low Countries would enable them to demand better terms from England, partly because the recent revocation of the letters of marque seemed to indicate that it was

⁷⁸ Bonde to Charles X, July 20, *Stockholm Trans.*; see also letter King of Sweden, July 16, 1655 in Milton, *Litterae* (1656); Bonde's Diary in *43 Rept. Dep. Keeper Pub. Records*, App., ii, p. 49.

⁷⁹ Intelligence from the Hague, July 20/30, Thurloe, iii, 669; cp. also news, July 6/16, (*ibid.*, p. 618) *in re* instructions to Nieupoort.

⁸⁰ Letter from Nieupoort, July 20/30 (*ibid.*, pp. 672-73); cp. Morland, 601-12.

⁸¹ Noted in Thurloe to Pell, 20 July (Vaughan, *Cromwell*, i, 225), and in Pell to Thurloe 11 Aug. (*ibid.*, p. 247); apparently two copies sent by different routes.

⁸² *Cal. S. P. Dom.* (1656-7), p. 589.

⁸³ *Ibid.*

⁸⁴ July 19, pet. Capt. Wm. Burrill, gov. of Mersey Id., for payment of moneys due him but omitted from his acct., ref. signed by C. July 14, 1655 (*ibid.*, 1655, p. 247); same date, pet. Laird of Fowlis for relief, ref. signed by C. July 14, (*ibid.*, p. 248).

⁸⁵ Fortescue to Thurloe, July 16 and 20, Thurloe, iii, 649-50, 674; same to Cromwell, July 21 and 23, *ibid.*, pp. 675-6, 681. July 18, several considerations to be presented to the Protector, signed by 15 field officers (*ibid.*, p. 661). See also declaration of July 23, requesting that other ministers be sent to replace one dead, the other dying, and to appoint an auditor (*ibid.*, p. 681).

done in order to conciliate them; and finally because even foreign observers began to wonder if circumstances would not force ratification of the Anglo-French treaty.⁸⁶ News from the Continent was of the most divergent character. It was reported from Paris that a vulgar picture of the Protector between the French and Spanish kings was removed from sale because of offence having been taken by its publication;⁸⁷ but on the other hand the Duke of York was said to be about to receive a visit from Gerard who planned to kill Cromwell.⁸⁸ James would have been sent away if peace had been concluded, but "now they not only suffered him (three weeks ago) to go to the camp, but in his way as he passed by la Fère, where the King and Cardinal were, the Cardinal caused all the great arms to be shot off, as if it were to let the Protector know, that their minds were altered."⁸⁹ Denmark's friendship was reported insincere; Amsterdam was predicted as ready to betray Cromwell to recover the trade lost to England;⁹⁰ and in general the suspicion that his Western Design might weaken his position at home and abroad did much to lessen both the fear and admiration in which he was held. Upon the success or failure of Blake, Penn and Venables, in fact, more depended than their immediate results.

Not least in the British Isles themselves was this true. When the Protector returned from Hampton Court, where he had gone, as usual, on Friday,⁹¹ he and his Council took up at once the final settlement of the affairs of Scotland, and to that end made some alterations in the original instructions, cut some salaries and reduced the establishment in field forces and garrisons.⁹² War supplies were removed from Bristol to Chepstow Castle; and Bristol Castle was ordered to be demolished.⁹³ Hatsell was ordered to impress a ship at Plymouth, if no state vessel was there, to send a packet to Blake and incidentally to carry Thomas Maynard with a message to the King of Portugal.⁹⁴ Meanwhile the Protector wrote to Monk in regard to the reduction of the armed forces and the

⁸⁶ Intelligence from Paris, 21/31 July, Thurloe, iii, 679; Chanut to Bordeaux, 20/30 July, *ibid.*, pp. 670-71; Paulucci to Sagredo, 22 July/1 Aug., *Cal. S. P. Ven.* (1655-6), p. 89; Bordeaux to Brienne, 20/30 July, Thurloe, iii, 673.

⁸⁷ Intelligence from Paris, 18/28 July, Thurloe, iii, 658.

⁸⁸ Intelligence from Cologne, (from Manning?), 18/28 July, *ibid.*, p. 659. Thurloe's information was also to the effect that one Windham told one Giles Pawlett that he would kill the Protector at Whitehall gate (*ibid.*, p. 660).

⁸⁹ Intelligence from Paris, 21/31 July, *ibid.*, p. 679.

⁹⁰ Intelligence from the Hague, July 20/30, *ibid.*, pp. 667-9.

⁹¹ *Perf. Diurn.*, July 20.

⁹² *Cal. S. P. Dom.* (1655), pp. 255-6; cp. Firth, *Scotland and the Protectorate*, Introd.

⁹³ *Cal. S. P. Dom.* (1655), p. 256 (July 24); warrant by Frost to John Phillips for £11 for removal, dated Nov. 30, 1655 (*ibid.*, 1655-6, p. 585).

⁹⁴ Hatsell to Col. Jno. Clerke, July 23, *ibid.* (1655), p. 508; same to [Blackbourne], July 31, *ibid.*, p. 512.

payment of arrears. That reduction was substantial, amounting as it did to 300 for horse and 800 for foot regiments, seven horse regiments for England and the same for Scotland, five foot regiments for England, and thirteen for Scotland, besides four companies of dragoons — which gives a good idea of where the government believed the chief danger lay.

To General Monk

Having considered the condition of the forces in England, Scotland and Ireland, and the arrears due, owing to the necessity of keeping up a greater number of forces for safety than the revenue will answer, we have, by advice of our Council, so reduced the forces that a constant pay may be kept up, and the arrears provided for in due time. We send particulars of the reducement in Scotland, and refer you to the Council of Scotland, who will speedily be with you, to advise what may further be done for reducement of charge there.

Meantime, you are to cause this new establishment to be put in speedy execution; and to enable you thereto, 30,000*l.* will be sent you for pay of the arrears of those who are to be reduced. We have settled a constant pay for the forces in Scotland in future, and hope you will not again be liable to the straits you have fallen into for want of money; two-thirds of the Excise in Scotland, and the Customs and other revenues, beyond what is requisite to defray the charge of government, are assigned for the arrears of the standing forces, whereby we hope the needs of the soldiers will be in some measure supplied.⁹⁵

Whitehall, July 26, 1655.

To this Monk perforce agreed, though he expressed doubts that "it wilbee a long time ere they bee paid that way," that is to say by assignment of the excise, and he suggested an allowance for Major-General Morgan and some minor modifications, which were agreed to.⁹⁶

Among lesser matters, important only to the parties concerned,⁹⁷ the Protector's acts at this moment consisted chiefly of the appointment of Steele as referee in place of Hales in the case of Lord Loftus;⁹⁸ of a

⁹⁵ Lomas-Carlyle, Suppl. 109.

⁹⁶ Firth, *Scotland and the Protectorate*, p. 296. Cp. also *S. P. Interreg.*, xcix, 65 and 92.

⁹⁷ Order that Sir Wm. Farmer, John Urlin, John Hathway, Wm. Taylor and Wm. Perry appear before the Council on Aug. 16 to answer charges of general abuse near Whittlewood Forest, Northamptonshire, on complaints dating as far back as 1649. (*Cal. S. P. Dom.*, 1655, p. 254). Approval or order of July 19 to direct Francis Hodges to pay wives of men of Venables' expedition (*ibid.*, p. 240). Note that "his Highness will speak with Mr. Lee" about a petition from inhabitants of St. Botolph's, Bishopsgate to keep Simpson or appoint Nichols, but not Lee (*ibid.*, p. 254). Petitions from John Pordage to be allowed to reap his harvest and keep the house which Cromwell ordered him as of April 4, 1655 and other petitions (*ibid.*, p. 261).

⁹⁸ *Hist. MSS. Comm. Repts., Various Collections*, iii, 229; see *passim* for the case. To this same period belongs the spurious letter of 28 July recommending a petition from Margery Beacham for admission of her son to Charterhouse included

"private feast" with the Council on July 27;⁹⁹ and of Samuel Morland as one of the clerks of the Signet:

Appointment of Samuel Morland as Clerk of the Signet

OLIVER P.

Oliver Lord Protector of the Commonwealth of England Scotland and Ireland and the Dominions thereto belonging. To all to whom these presents shall come, Greeting. Know ye that We reposing special trust and confidence in the fidelity, industry and provident circumspection of our well beloved Samuel Morland Esquire, of our especial grace, certain knowledge and mere motion have given and granted and by these presents for us and our successors do give and grant unto the said Samuel Morland the office of one of the clerks in ordinary of the Signet of England of us and our successors with all and singular fees wages regards profits commodities emoluments and advantages whatsoever to the said office belonging or any ways appertaining, To have hold enjoy exercise and occupy the said office of one of the clerks in ordinary of the Signet of us and our successors to the said Samuel Morland for and during his natural life together with all and singular fees wages regards profits commodities emoluments and advantages whatsoever to the said office belonging or appertaining and that in as large and ample manner and form as William Trumbull, Robert Reade, William Dell, Francis Gaul, John More, Abraham Williams, and Philip Warwick or any other or others heretofore holding or exercising the said office hath or have held or enjoyed the same. Wherefore We will and by these presents command require and authorize our principal Secretary of State that by virtue of these presents he do not only admit and receive the said Samuel Morland in and to the said office of one of the clerks in ordinary of the Signet of us and our successors and administer an oath unto him convenient and usual in that behalf. But do also receive and permit the said Samuel Morland from time to time to expedite and write the warrants and bills under our Signet and that in as full ample and beneficial manner and form and with the same advantages profits emoluments wages and commodities as the said William Trumbull, Robert Reade, William Dell, Francis Gaul, John More, Abraham Williams or Philip Warwick or any of them or any other or others at any time heretofore using and exercising the said office hath or have or ought to have held or enjoyed the same. Although express mention, etc. In Witness whereof, Witness &c.¹⁰⁰

Having disposed of the affairs of the army and Scotland and ordered that Fleetwood come to England "speedily, to consult on Irish affairs,"¹⁰¹ the Protector's hands were free for the time being to deal

by Carlyle. Cp. Ralph Neathcote, *Sylva* (1786), p. 277; Scatcherd's *History of Morley* (1830), p. 332; *Annual Register* (1758), p. 268; and L. Howard, *Collection of Letters* (2nd ed., 1756).

⁹⁹ *Perf. Diurn.*, July 25.

¹⁰⁰ B. M. Harl. Ms. 4712, f. 261, endorsed for presentation to the Protector July 25, 1655. The Catalogue of the Harleian Manuscripts (iii, 532) dates the appointment March 10, 1655(-6?), but the photostat of the original bears no evidence of any such date.

¹⁰¹ *Cal. S. P. Dom.* (1655), p. 260.

with the foreign situation. His first letter was to Denmark to complain of the maltreatment of an English ship which had run aground on Danish soil; the second to Charles X Gustavus of Sweden to announce the appointment of Rolt as envoy and to express the friendship of England for the new sovereign:

To Frederick III

Oliver, Protector of the Commonwealth of England, Scotland and Ireland, etc.: to the most serene and potent Prince and Lord Frederick III, by the grace of God, King of Denmark, Norway, the Vandals, and Goths, etc. Greeting:

Most Serene and Potent King, Good Friend:

There has been dispatched to us the complaint of certain merchants of this Commonwealth, that a certain English vessel by name the *Fortune* in command of John Nichols, laden at Danzig and returning to England on the last day of December, by ill chance ran aground on the so-called Moon Islands below your Majesty's domains, and that there the cargo of the said ship, consisting of wool, linen cloth, and other merchandise of great value, was forcibly seized and withheld by the inhabitants of that place, in violation not only of the common law but also of the express article of the recent treaty, in which it is provided in the 8th article: But if the ships of either of the allies or of his subjects and inhabitants shall run aground on shoals or strike on reefs or be wrecked in any manner whatsoever near the shores of the other party, the said ships with all their gear, goods, and merchandise, or whatever of them shall be left, shall be restored to their masters and owners as is set forth at length in this same article. We do not doubt that your Majesty is of such a mind that he wishes all the provisions of the said treaty into which we have recently entered should be strictly observed, and that he will see to it that the same are efficaciously discharged by his subjects, even as we on our part sincerely undertake to discharge them all and several. Wherefore with all the more confidence we beg your Majesty that as soon as he shall have learned by this our letter of the wrong done to citizens of this Commonwealth, he will firmly and effectively command his subjects dwelling in the said place to restore at once the cargo of the said ship entire and undiminished, and to make full amends for the losses proceeding from the unjust detention. This will be in accord with natural equity and with the good friendship which exists mutually between us and our dominions, which friendship we shall endeavour to the full extent of our ability to preserve intact and unimpaired. May the good and mighty God long keep your Majesty safe. Given from our court at Westminster the 26th of July, in the year 1655.

Your good friend,

OLIVER P.¹⁰²

To Charles Gustavus of Sweden.

Most serene and powerful King, good friend:

We have received your Majesty's letter by the noble Petrus Julius Coyet, your Majesty's Hereditary Secretary in Bengsboda, and Assessor of the Council

¹⁰² Latin original in the Rigsarkivet in Copenhagen. Copy in *Rævl. Mss.*, A261, f. 51v-52. Cal. in 47th Rep. Deputy Keeper Pub. Records, App. p. 76. Latin pr. *infra*, App. II (37).

of Trade, who has transmitted to us in the name of your Majesty the treaty concluded in Sweden not very long ago by our Commissioners and Plenipotentiaries and by those of the most serene and powerful Lady Christina, the late Queen of Sweden, just as it is ratified by your Majesty. The same treaty having likewise been ratified by us in accordance with what had been agreed upon in an article of the said treaty, we have transmitted the ratification of the same to your Majesty by the sincerely faithful and beloved noble Edward Rolt, one of the gentlemen of our bedchamber. Moreover we have permitted him in our instructions to inform your Majesty of our sincere good will towards you and your kingdom, and of our steadfast resolution to preserve and increase by every fair means the friendship and good understanding which exist between both nations. Wherefore we ask your Majesty to deign to receive him kindly and to have confidence in the things which he is about to propose from our side. In closing we heartily commend your Majesty to divine protection. Given from our Hall of Westminster, 27 July 1655.

Your Majesty's good friend,
OLIVER P.¹⁰³

The Protector's expression of good will toward the Swedes was no mere diplomatic politeness. At the same time a letter from Coyet to the Council revealed Cromwell's promise that he would not allow the Dutch fleet to disturb the Swedes, partly, it would seem, because he was pleased with their success in Poland.¹⁰⁴ This was important since on July 27 the much advertised treaty between Brandenburg and the States General was signed, and though by its 18th article both parties agreed to admit the Protector to their alliance,¹⁰⁵ he was reported to have declared immediately that he would not avail himself of this privilege¹⁰⁶ — or obligation — since it was evident that it might conceivably be used to the disadvantage of his Swedish ally. Every effort, indeed, was made to reassure the Swedes, whose ambassador, Bonde, was welcomed at this moment at the Tower by Whitelocke and a distinguished company, escorted to Williams' house by the Protector's coaches and nearly a hundred others, and in spite of a dispute between the French and Swedes as to which should take precedence, nothing was spared to impress the envoy with the good-will of England.¹⁰⁷ The Protector naturally did not meet

¹⁰³ Latin original in the Riksarkivet in Stockholm, in "Parlamentets och Protektörernas originalbref till svenska konungahuset 1645-1660." Copy in *Rawl. MSS.*, A261, ff. 52-52v, pr. *infra*, App. II (38).

¹⁰⁴ Coyet's letter was read in the Swedish Council July 26 (*Svenska Riksrådet Protocoll*, xvi, 1654-56).

¹⁰⁵ *Urkunden und Actenstücke zur Gesch. des Kurfürsten Friedrich Wilhelm von Brandenburg*, vii (ed. B. Erdmannsdörffer, Berlin, 1877), 713-4; Theodor v. Mörner, *Kurbrandenburgs Staatsverträge von 1601 bis 1700* (Berlin, 1867), pp. 189-90.

¹⁰⁶ De Witt, *Brieven*, iii, 92.

¹⁰⁷ Whitelocke, pp. 627-8; *Perf. Diurn.*, July 28. Paulucci observed that "on these occasions the procession grows less and less. Only the confidants of the Pro-

him in person but on July 28 an unusually splendid audience was arranged for Bonde at Whitehall:

The Banqueting-House was richly hung with Arras, multitudes of Gentlemen in it, and of ladies in the galleries. The Ambassador's people were all admitted into the room, and made a lane within the rails in the midst of the room. At the upper end upon a foot-pace and carpet, stood the Protector with a chair of state behind him, and divers of his Council and Servants about him.

After a little pause, the Ambassador put off his hat, and began to speak, and then put it on again; and whensoever, in his speech, he named the King his master, or Sweden, or the Protector, or England, he moved his hat; especially if he mentioned anything of God, or the good of Christendom, he put off his hat very low; and the Protector still answered him in the like postures of civility. The Ambassador spake in the Swedish language; and after he had done, being short, his Secretary Berkman did interpret it in Latin.

Many other passages of compliment and civility were in his expressions; and after his interpreter had done, the Protector stood still a pretty while, and putting off his hat to the Ambassador, with a carriage full of gravity and state, he answered him in English to this effect: ¹⁰⁸

My Lord Ambassador, I have great reason to acknowledge, with thankfulness, the respects and good affection of the King your master towards this Commonwealth, and towards myself in particular. Whereof I shall always retain a very grateful memory; and shall be ready upon all occasions to manifest the high sense and value I have of his Majesty's friendship and alliance.

My Lord, you are welcome into England; and during your abode here, you shall find all due regard and respect to be given to your person, and to the business about which you come. I am very willing to enter into a nearer and more strict alliance and friendship with the King of Swedeland, as that which, in my judgment, will tend much to the honour and commodity of both Nations, and to the general advantage of the Protestant Interest. I shall nominate some Persons to meet and treat with your Lordship, upon such particulars as you shall communicate to them.¹⁰⁹

The new Swedish ambassador, however impressed by this show of friendship, promptly advised his sovereign of what he conceived to be the situation in England. "There is," he wrote, "no longer a question whether they shall have a king, but who the king shall be, and so the former difference between the house of Stuart and all the inhabitants of the land is converted into a difference between the houses of Stuart and Cromwell."¹¹⁰ That consideration did not much trouble foreign powers

tector and the present government take part, since the few remaining noblemen in England who are able will not go, in view of the unjust violence shown to men of their rank, and the imprisonment of their persons, all intended to reduce them to utter weakness if not to exterminate them." (To Giustinian, Aug. 5/15, *Cal. S. P. Ven.* (1655-6), p. 93.)

¹⁰⁸ Whitelocke, pp. 628-29.

¹⁰⁹ Stainer, p. 207 (July 28, 1655); Lomas-Carlyle, ii, 456-58.

¹¹⁰ Bonde to Charles X Gustavus, July 27, *Stockholm Transc.*

for the moment. They faced the fact that Cromwell actually governed the British Isles, and he and they acted accordingly. While the Piedmont Protestants expressed their gratitude to the Protector,¹¹¹ he continued his efforts to attain lasting security for them. Downing was instructed to meet Morland and Pell in Geneva¹¹² and on his way thither to deliver letters to Mazarin and Louis XIV:

To the Senate at Geneva

The very melancholy intelligence which has reached us of the bloody massacre of those of the Evangelical religion, inhabiting the Alpine Valleys, and the imminent danger which in consequence hangs over the Protestant faith, has made so deep an impression on our minds and filled us . . . with such intense solicitude . . .

OLIVER P.¹¹³

Westminster, July 28, 1655.

To Cardinal Mazarin

Most eminent Lord Cardinal,

Having deemed it necessary to send this noble person [George Downing] to the King with Letters, of which a copy is here enclosed, we gave him also further in charge to salute your Excellency in our name, as having entrusted to his fidelity certain other matters to be communicated to your Eminence: in reference to which affairs I entreat your Eminence to give him entire credit as being a person in whom I have reposed the highest confidence.

Your Eminence's most affectionate

Oliver, Protector of the Republic of England¹¹⁴

Whitehall, July 31, 1655.

To the most Serene and Potent Prince, Lewis, King of France.

Most Serene and Potent King;

By your majesty's letters, which you wrote in answer to ours of the twenty fifth of May, we readily understand, that we failed not in our judgment, that the inhuman slaughter, and barbarous massacres of those men, who profess the reformed religion in Savoy, perpetrated by some of your regiments,

¹¹¹ Letter dated July 27, pr. in *Perf. Diurn.*, Sept. 18.

¹¹² See Thurloe to Pell, July 27 (Vaughan, *Cromwell*, i, 227). Pell ordered to meet Downing at Geneva to receive Cromwell's instructions to Downing, which were intended likewise for Pell; a draft approved in Council July 17 (*Cal. S. P. Dom.* (1655), p. 247). A letter of credence for Downing, dated July 28, addressed to the Senate of Berne, is cal. in *Hist. MSS. Comm. Rept.* 3, App. p. 287, and in Lomas-Carlyle, Suppl. 110, from the MSS. of Rev. Walter Sneyd of Keble Hall, referred to in *Hist. MSS. Comm. Rept.* as "Keele" Hall.

¹¹³ A letter the translation of which begins thus and said to contain about 80 words, signed and sealed, is listed for sale by Parke-Bernet in the John Gribbel Collection Catalogue, Pt. I, p. 64. It is doubtless a letter of credence and identical with the one to the Senate at Berne.

¹¹⁴ Milton, *Works* (Columbia), xiii, no. 57. Original in Archives du Ministère des Affaires Etrangères, vol. 66, f. 96, dated July 31. Pr. in Vischer's ed. of *Lett.* ii, 299, dated Dec. 26, 1656. The usual signature Oliverus P. is replaced by the signature here printed. The Columbia edition gives July 29 as the date, but see above.

were the effects neither of your orders nor commands. And it afforded us a singular occasion of joy, to hear that your majesty had so timely signified to your colonels and officers, whose violent precipitancy engaged them in those inhuman butcheries, without the encouragement of lawful allowance, how displeasing they were to your majesty; that you had admonished the duke himself to forbear such acts of cruelty; and that you had interposed with so much fidelity and humanity all the high veneration paid you in that court, your near alliance and authority, for restoring to their ancient abodes those unfortunate exiles. And it was our hopes, that that prince would in some measure have condescended to the good pleasure and intercessions of your majesty. But finding not any thing obtained, either by your own, nor the entreaties and importunities of other princes in the cause of the distressed, we deemed it not foreign from our duty, to send this noble person, under the character of our extraordinary envoy, to the duke of Savoy, more amply and fully to lay before him, how deeply sensible we are of such exasperated cruelties inflicted upon the professors of the same religion with ourselves, and all this too out of a hatred of the same worship. And we have reason to hope a success of this negotiation so much the more prosperous, if your majesty would vouchsafe to employ your authority and assistance once again with so much the more urgent importance; and as you have undertaken for those indigent people, that they will be faithful and obedient to their prince, so you would be graciously pleased to take care of their welfare and safety, that no farther oppressions of this nature, no more such dismal calamities may be the portion of the innocent and peaceful. This being truly royal and just in itself, and highly agreeable to your benignity and clemency, which every where protects in soft security so many of your subjects professing the same religion, we cannot but expect, as it behoves us, from your majesty. Which act of yours, as it will more closely bind to your subjection all the protestants throughout your spacious dominions, whose affection and fidelity to your predecessors and yourself in most important distress have been often conspicuously made known: so will it fully convince all foreign princes, that the advice or intention of your majesty were no way contributory to this prodigious violence, whatever inflamed your ministers and officers to promote it. More especially, if your majesty shall inflict deserved punishment upon those captains and ministers, who of their own authority, and to gratify their own wills, adventured the perpetrating such dreadful acts of inhumanity. In the mean while, since your majesty has assured us of your justly merited aversion to these most inhuman and cruel proceedings, we doubt not but you will afford a secure sanctuary and shelter within your kingdom to all those miserable exiles, that shall fly to your majesty for protection; and that you will not give permission to any of your subjects, to assist the duke of Savoy to their prejudice. It remains that we make known to your majesty, how highly we esteem and value your friendship: in testimony of which, we farther affirm, there shall never be wanting upon all occasions the real assurances and effects of our protestation.

Your majesty's most affectionate,

OLIVER P.¹¹⁵

Whitehall, July 31, 1655

¹¹⁵ Latin original, not signed, and dated July 31, 1655, is in Archives du Ministère des Affaires Etrangères, vol. 66, pp. 98-98v. Milton, *Works* (Columbia),

In addition to these documents and in pursuance of the policy of reducing the armed forces and so cutting down the excessive expenses of government, the Protector signed the following letter to the Lord Deputy of Ireland:

[*To Fleetwood*]

We have decided to reduce the forces in Ireland as is being done in England and Scotland, in order that there may be more certainty of regular pay. £17,000 a month is all that can be allowed from here for the Irish army, which, with the local revenue, must suffice for the government and army of Ireland. You shall call the Council together and such officers of the army as you please, and consider how the needs of the army may best be adapted to this charge. We shall pay the £17,000 hence regularly and think it well that there be established in Ireland a militia of horse similar to that established here, consisting of disbanded persons and of other loyal inhabitants. We propose to assign for the support of this force a competent proportion of the land which remains to us in Ireland, and send you a copy of instructions given in England whereby you may learn the method adopted for raising this force here. You shall consider this matter and promptly send in a report on its advantages and practicability.¹¹⁶
(31 July, 1655)

Such were the circumstantial events of the eventful last week of July, 1655, in the life of the Protector. When he returned from Hampton Court on Monday,¹¹⁷ the pressing foreign business which had been dropped for the week-end was resumed. On that day he wrote to Blake, who was reported — incorrectly — to have been bottled up in Cadiz with 22 ships.¹¹⁸ The letter was approved in the Council on the next day and the Admiralty Commissioners were ordered to despatch it at once.¹¹⁹

To the General of the Fleet, [General Blake]

SIR,

We have received yours of the 4th, as also that of the 6th instant,¹²⁰ both at once; the latter signifying the great preparations which are making against you.

Some intelligence of that nature is also come to us from another hand, which hath occasioned us to send away this despatch unto you, immediately upon the receipt of yours, to let you know That we do not judge it safe for you, whilst things are in this condition, to send away any part of the Fleet, as you were directed by our Instructions of the 13th of June; and therefore, notwithstanding-

xiii, 180-5, dated July 29, 1655. Pr. in Vischér's ed. of Leti's *Cromwell*, ii, 268, with date May 18, 1655. This letter is said to have been given to Morland when he went to Paris early in June, but more probably to Downing. This version is taken from Symmons, *Milton*, iv, pp. 386-88.

¹¹⁶ *Cal. S. P. Irel. (1647-1660)*, p. 817.

¹¹⁷ *Perf. Diurn.*, July 30.

¹¹⁸ Quirini to Doge, Aug. 4/14, *Cal. S. P. Ven. (1655-6)*, p. 92.

¹¹⁹ *Cal. S. P. Dom. (1655)*, p. 265.

¹²⁰ Pr. in Thurloe, iii, 611, 620; Powell, *Blake*, pp. 299, 305-6.

ing those orders, you are to keep the whole Fleet with you, until you have executed the Secret Instructions,¹²¹ or find the opportunity is over for the doing thereof.

We think it likewise requisite that you keep with you the two frigates which conveyed the victuals to you; as also the *Nantwich*, which was sent to you with a person bound for Lisbon with our instructions to that King. And for the defects of the Fleet, the Commissioners of the Admiralty shall take care thereof; and be you confident that nothing shall be omitted which can be done here for your supply and encouragement.

I beseech the Lord to be present with you. I rest,

Your very loving friend,

Whitehall, 30 July, 1655.

OLIVER P.¹²²

Blake, as a matter of fact, was in no danger. He had not availed himself of permission to careen his ships at Cadiz, but on the contrary, having received news there that the Plate fleet was expected in five weeks, had spread his vessels out, according to his own account, between "Cape Maries" and "Cape Sprat" prepared to intercept the incoming Spaniards and later, as he wrote on July 4, had changed his station to Cape St. Vincent. The Spaniards had meanwhile put out a fleet which refused to engage, and Blake, consulting his instructions, let them go, for he wrote, on August 30, it seemed "not the intention of your Highness, that we should be the first breakers of the peace, seeing your Highness having notice of the coming forth of the Spanish fleet, did not give us any new direction at all touching the same in your last order of the 30th of July."¹²³ It was, according to his conception of his instructions, important that the English should not strike the first blow of an Anglo-Spanish war in the Mediterranean. That had, of course, already been struck in the West Indies. By this time news had come not only of the failure in Hispaniola but of the Jamaica success, which had in some measure atoned for its earlier disaster by occupying an island better suited to English purposes than San Domingo.¹²⁴ That was not then recognized and the news of the rout at San Domingo, which seems to have reached the Protector on or about July 24, was peculiarly distressing to him especially in that he had urged this enterprise against Lambert's opposition and without proper preparation. It was not until August 4 that the more inspiring news arrived from Jamaica, but this did little to reconcile Cromwell or to prevent bitter criticism of him for this badly handled enterprise.¹²⁵

¹²¹ Cp. Blake's letters, *ut supra*. The instructions seem not to have been preserved. Cp. Powell, *Blake*, pp. 275-6.

¹²² Lomas-Carlyle, CCI.

¹²³ Powell, *Blake*, p. 307-8.

¹²⁴ For the Venables expedition see Gardiner, *op. cit.*, iv, ch. xlvi; Venables' *Narrative*; Watts, *Hist. des colonies Anglaises*, *passim*.

¹²⁵ Cp. Gardiner, Watts, Powell and Venables, *ut supra*.

It was the more important, therefore, to secure his position nearer home, and for that the northern powers provided an opportunity. On the day after Cromwell's return from Hampton Court, by Bonde's special request he was received at a private audience by the Protector, at which Thurloe was also present. Bonde went to Westminster at five in the afternoon in the Protector's barge and they talked for nearly two hours,¹²⁶ but of their conversation we only know that Cromwell expressed the hope that Charles X would continue the policies of Gustavus Adolphus.¹²⁷ He had some days before this apparently received a certain Count Hannibal Sehested, sometime viceroy of Norway but now out of favor with his master, the king of Denmark. The Protector was reported to have used the Danish refugee "with all Courtesy; he dined with him several times, and the Protector was much taken with his Company . . . but he was a very debauched Person; which when the Protector knew, he would not admit him any more into his Conversation; and not long after he departed out of England."¹²⁸

On this moral note the chronicle of these eventful days ended. It was by now apparent that the foreign designs were well under way and in large measure what they were. Though no open engagements had been entered into either for or against any continental power, Blake's presence in wait for the Spanish Plate fleet and the attack on Hispaniola and Jamaica showed that war was imminent with Spain. The missions of Pell and Dury, Morland and Downing revealed that the Protestant Interest was active in foreign policy, while the negotiations with the northern powers indicated that the Protector hoped for at least moral support in that direction. In what light his foreign policy appeared to continental powers not concerned with its moral aspects is revealed in the appraisal of Cromwell's position in the report of the astute Venetian representative which he sent to his government in the preceding October:

After the Protector, by uninterrupted successes, had subdued these three kingdoms and reduced the royal forces everywhere, he decided upon this foreign enterprise to justify the heavy taxes, which constitute an almost excessive burden on the people, and to prevent them from thinking that he intended to convert to his own use the huge quantity of gold which is drawn from the substance of the people. He aimed at maintaining the repute of his arms and to afford occupation to his large forces that without such employment might generate some peccant humours at home. After hesitating a long time, accord-

¹²⁶ *Perf. Diurn.*, Aug. 1; Bonde's diary in 43 *Rept. Dep. Keeper Pub. Records*, App. 2, p. 49. Cp. also Barckman (Bonde's secretary) to Thurloe, Thurloe, iii, 691-92.

¹²⁷ Bonde to Charles X Gustavus, 23 August, *Stockholm Transcripts*.

¹²⁸ Whitelocke, p. 627. Whitelocke had met him at Glückstadt in Germany in June, 1654, as he returned from the Swedish mission.

ing to the unanimous assertions of the government here, whether he should attack the dominions of the Turk or the Indies, the lure of gain, the induce-
ment of the treasure fleets, and the greed of gold, made him decide in favour
of the latter enterprise, which has cost immense sums and promises scanty
returns.

Venice had not been able, he adds, to secure the aid of England against
the Turks, even though he had pointed out "the ease of the enterprise,
the richness of the caravans and the fertility of the country," but he still
hoped "to obtain a fleet of ships to serve our state and the interests of
Christendom under the flag of the most serene republic." Absorbed as
Cromwell was in reviving the dreams of the Elizabethan sea-kings, he
was not inclined to go back to the days of Richard I; he preferred to
fight Catholics even to waging war on Mohammedans, and Venetian
hopes were doomed to disappointment.¹²⁹

II. THE MAJOR-GENERALS, AUGUST-OCTOBER, 1655

It had now been a little more than a year and a half since Oliver
Cromwell had become Lord Protector by virtue of the Nominated or
Barebones Parliament's resignation into his hands of the "authority"
which it had derived from him. For some nineteen months he had been
the ruler of England and he had not merely reigned, he had governed.
Mingled with a mass of administrative detail, that period had seen great
events and great policies. Peace had been made with Holland; treaties
negotiated with Sweden, Denmark and Portugal, and begun with France.
The "Protestant Interest" had been defined, and emissaries despatched
to the Swiss cantons, the Rhenish states and Savoy. War had been virtu-
ally begun with Spain. At home England and Scotland had been united;
a new Parliament with members from the British Isles summoned and
dissolved; efforts made to reform legal procedure, especially Chancery
jurisdiction; a "board of triers" set up to revise and regularize the
ecclesiastical system; the army establishment reduced; and rebellion
suppressed.

On the face of things it seemed that the Protector was secure in his
authority, yet in spite of his activity in foreign affairs, his attempts at
reform in church and state, and the failure of efforts to overthrow him,
all was not well with his administration. The continued conspiracies
against his government and his person, the widespread dissatisfaction
with his administration, the opposition of the greater part of the nation
to the system which he was bent on establishing in place of the monarchy,
and especially the movements to overthrow it, evidenced the fact that it
was necessary to take stronger steps to keep down the discontent of a

¹²⁹ *Sagredo to Doge, Oct. 26/Nov. 6, Cal. S. P. Veneri (1655-6), p. 133.*

people which was held in subjection only by military force. The conspiracy which had found expression in the ill-fated Penruddock rising had led to a new series of arrests, but it was evident that even the presence of commanders and garrisons in various centers throughout the country and the movement of troops hither and thither, as danger seemed to threaten at widely separated points, was not enough to keep the country wholly at peace. This situation was brought to a head by the Penruddock incident, which resulted in the appointment of Desborough as major-general in the west. That rising had not merely revealed a defect in the Protectoral system but Desborough's appointment had begun a new phase of Protectoral policy.

Up to this point the revolutionary movement had naturally concerned itself largely with the central government, but the appointment of Desborough and the succeeding activities of that central authority raised — or were raised by — the problem of local government. Local, especially county, administration had suffered greatly in the disturbances of the preceding years. Under the old monarchy it had been vested in royal appointees, the lord lieutenants, the sheriffs and the justices of the peace. When Parliament took up arms against the King, there were erected beside, or in place of, or opposed to the lord lieutenants, the so-called county committees, especially for raising men and money for the revolutionary cause and the organization of the counties against the King. In time the lord lieutenants disappeared, with monarchy itself. The sheriffs and the justices of the peace remained, though as nominees of Parliament not of the crown. But Parliament itself presently disappeared and with its dissolution by Cromwell went whatever authority sheriffs and justices derived from it. The offices remained but they were filled by nominees of the Protector and Council. The sheriffs continued as heads of the county forces for keeping the peace, police, and militia, as overseers of elections, and, as before, the chief representatives of the central government in the counties. The justices of the peace still exercised their functions as magistrates, whether as individuals, in petty or quarter sessions; they still had some supervision over the poor, and acted as conservators of the peace in their districts and directors of local administration, with some control over the militia.

Though these officials went on under the Protectorate nominally much as under the monarchy, there was some question whether, with monarchy destroyed, the ordinances of the Long Parliament without royal assent, and Parliament itself no longer in existence, with the ordinances of Protector and Council lacking any legal or constitutional basis, they had any strictly legal status or authority at all. Moreover it had not always been possible to secure proper persons as justices of the peace. The new appointees not only had no traditional royal sanction or Parliamentary authorization, but, in many cases, the prestige of local family, property

or social standing to support them. They were, moreover, faced with many problems which had troubled their predecessors little if at all, problems which, like that of the new church system and its "ejectors", were connected with the question of reorganizing society and government, civil and ecclesiastical. This is evident from many instances which seem on the surface of only neighborhood importance, like cases of elections and of appointments to livings¹⁸⁰ which came before the Protector by way of petition, but which indicated that local administration, if it had not broken down, was in a highly unsatisfactory condition. It was especially obvious in the matter of Royalist and Leveller conspiracies, and it had become apparent that the justices of the peace and the sheriffs had not been able to cope with the situation.

The Protector's natural tendency was to turn to the army, and the appointment of Desborough was the first step in an effort to infuse energy into local officials and bring the weight of the central authority to bear directly on the country. Whatever the legal status of this new device, the fact, as always, was superior to the theory, and the apparent success of Desborough stimulated, if it did not suggest, a policy which within a few months was extended through England and Wales. To this end were taken other measures in this first week of August, 1655, whose importance is witnessed by the fact that the Protector attended all five Council meetings in that week.¹⁸¹ Lambert, Pickering and Desborough were ordered to consult with him in regard to the militia forces,¹⁸² and it was noted that Montagu informed the Commissioners of the Treasury that the Protector and Council had consented to give the soldiers a fortnight's pay,¹⁸³ to which, no doubt, the money from the East India Company contributed. More important still as a matter of general policy was what was apparently the first effort to modify the transportation system by the issue of a warrant which, in effect, offered pardon to some offenders after ten years of exile, a policy which was continued in later years:

Warrant issued in the name of the Protector, of pardon granted to certain prisoners convicted of small crimes at the Surrey assizes.

¹⁸⁰ As for instance on about August 1, the presentation of Francis Jackson, clerk to the vicarage of Warton, co. Lancaster, by the Protector, patron, under the Great Seal. Cp. *Lancs. Record Soc.*, vol. 34, from Records of Comm. for relief of plundered ministers, pt. ii, 1650-60, pp. 85-6, from *Lambeth MSS.*, v. 996, f. 186: and of John Watts to Thirstaston, Lancs. *Lancs. Rec. Soc.*, vol. 34, p. 89 from *Lambeth MSS.*, 996, f. 223.

¹⁸¹ *Cal. S. P. Dom.* (1655), p. xxvii. Aug. 2 he approved 11 orders of 24 to 27 July (*ibid.*, p. 267); on July 31 he approved 4 orders (Thurloe, iii, 688); petitions: July 30, for legal and constitutional reforms; John Norbury and others for Cromwell to be king (*ibid.*, pp. 277-78); Sam Blakesly, deputy collector of Essex, for relief from law-suit (*ibid.*, p. 264); remonstrance from charitable commissioners in Middlesex begging for an ordinance to improve administration (*ibid.*, pp. 265-66).

¹⁸² *Ibid.*, p. 268.

¹⁸³ *Ibid.*, p. 267.

. . . Provided nevertheless and upon this Condition that they the said Richard Biggs (and three other names) and every of them shall bee by the Care of our Sheriffe of the said County of Surrey transported beyond the seas to some English Plantacon with all Convenient speed and if they or any of them shall refuse to bee transported being thereunto required or make any Escape or retorne into England within tenn yeares after their said Transportacon without Lawful Licence first had, then this our present Pardon to them soe refuseing escaping or retورning to bee null and voyd.¹⁸⁴

The settlement of the membership of the Council for Scotland made necessary certain adjustments at home, like the transfer of Scrope from Bristol and of Whetham from Portsmouth.¹⁸⁵ With these went certain changes in the administration. As Whitelocke records, the Protector "being good-natur'd and sensible of his harsh Proceedings" against Whitelocke and Widdrington as a punishment for their opposition to the proposed reform of Chancery, "intending to make some Recompense to us, put us in to be Commissioners of the Treasury, together with Colonel Mountague and Colonel Sydenham, with whom we had fair Quarter, our Salary one thousand Pounds a-piece per annum."¹⁸⁶ Provision was made in Derby House for the reception of Fleetwood, who meanwhile sent Captain Deane to Thurloe for the Protector's confirmation of his letter of November 14, 1654, regarding losses sustained by Deane, Wallis and Phayre in sending Irish soldiers to Spain, and was himself presently expected in London.¹⁸⁷ On Friday the Protector feasted the officers of the new militia at Whitehall,¹⁸⁸ and it is possible that among them were the men designated as major-generals on August 9. Of these there were ten for England and Wales.¹⁸⁹ On August 2 Desborough had been appointed to command the twelve militia troops and the regular army forces in Gloucester, Devon, Dorset, Somerset and Wilts.¹⁹⁰ Kelsey was put in charge of Kent and Surrey; Goffe of Sussex, Bedford and Southampton; Boteler of Rutland, Huntingdon, Northampton and Berkshire; Whalley of Lincoln, Nottingham, Stafford, Leicester and Warwick; Berry of North and South Wales, Hereford and Salop; Lambert of Yorkshire, Lancaster, Durham, Northumberland,

¹⁸⁴ Quot. by A. E. Smith in *Am. Hist. Rev.*, xxxix, 237 from Pat. Roll, C66, 2912, no. 3.

¹⁸⁵ List of the Scottish council in *Perf. Diurn.*, 2 Aug.; *Cal. S. P. Dom.*, 1655, pp. 108, 152.

¹⁸⁶ Whitelocke, p. 627. His appointment of Aug. 2, 1654, was now made permanent.

¹⁸⁷ See *supra*; Fleetwood to Thurloe, 1 Aug., Thurloe, iii, 690.

¹⁸⁸ *Clarke Papers*, iii, 47; *Perf. Diurn.*, 4 Aug.

¹⁸⁹ *Cal. S. P. Dom.* (1655), p. 275; Thurloe, iii, 701.

¹⁹⁰ *Cal. S. P. Dom.* (1655), p. 267. There were various readjustments made later. Thurloe gives Bedford to Butler, and Berkshire to Goffe. For their instructions, commission, bond, etc. see below, first framed Aug. 22, revised and issued Oct. 10.

Westmorland and Cumberland; Fleetwood of Norfolk, Suffolk, Essex, Herts, Cambridge, Ely, Oxford and Bucks; Worsley of Derby, Chester and Worcester; and Skippon, who already headed the forces of the capital, was continued as major-general for London and Middlesex. In addition to these there were some lesser appointments — Sir Gilbert Pickering as Lord Chamberlain; Sir Thomas Billingsley, Mr. Rolt, Mr. Barrington and Mr. Harvey, most of them connected with the Cromwell family, as gentlemen of the Protector's bedchamber.¹⁴¹

This done, in addition to their regular business¹⁴² Protector and Council turned to consideration of Scottish affairs, particularly to the articles of agreement and capitulation between Monk and William, Earl of Lothian; Major-General Holborne and Lieutenant-Colonel Duncan Campbell on behalf of Archibald, Marquis of Lorne; and Sir Hugh Campbell of Cesnock and John Shalmere of Gaitgirth for John, Earl of Loudon, James, Lord Maitland his son, and others. These, which had been drawn up earlier, were read in Council on August 7, presented to the Protector, and approved by him two days later, as evidenced by the agreement with the Earl of Loudon:

*By his highness Oliver lord protector of the commonwealth of England,
Scotland, and Ireland, and the dominions thereunto belonging.*

The articles of capitulation agreed upon between general Monck and the earl of Loudon are hereby ratified and approved in all points, esteeming the same as herein particular express; and the said earl of Loudon is to be protected in his person against any arrest or restraintment for debts, until such time as the said earl shall go about the getting payment of the annuities owing to him, therewith to pay his debts, which he is to do with all diligence, wherein he is to have the assistance of the council of Scotland in all things, according to his rights and laws of that nation.

For the council of Scotland, and others¹⁴³
whom these may concern.

Meanwhile the Protector took occasion to write one of his numerous letters in behalf of Englishmen who managed to get into trouble abroad:

¹⁴¹ *Clarke Papers*, iii, 47.

¹⁴² Aug. 9, approval of 4 orders, 20 July—9 August (*Cal. S. P. Dom.* (1655), p. 276). Petitions: Aug. 7, Common Council of Great Torrington, Devon, for discharge of arrears of rent, 1648–50, read in Council, no order (*ibid.*, p. 268); Aug. 8, Sir W. Compton for release (Thurloe, iii, 697); Aug. 9, 29 Merchants of the Intercourse in London protesting quartering of soldiers on them (*Cal. S. P. Dom.* (1655), p. 274); Countess of Lauderdale for part of husband's late estate in Scotland not yet disposed of — granted £200 a year (*ibid.*, pp. 274–5, 298); Aug. 10, James, Earl of Callendar for release from prison and restoration of estate (*ibid.*, p. 277; cp. *supra* for Monk's intercession); Col. Mackworth reports sending Sir Thos. Harris to Cromwell in pursuance of his order (Thurloe, iii, 706; cp. *ibid.*, p. 336).

¹⁴³ Thurloe, iii, 496, among docts. of May, 1655; cp. *Cal. S. P. Dom.* (1655), pp. 269, 271.

To Charles Gustavus of Sweden

Most Serene and Powerful King:

If we disturb your Majesty by this letter, we do so trusting to that good friendship which exists between us, and which delights in being cultivated and encouraged by frequent practice and by the performance in turn of the services of mutual courtesy. We are pained, however, on account of the misfortune which recently happened within your dominion to a certain Englishman, Richard Broke by name: while sojourning in Pskov to trade, and working at a sufficiently profitable commerce there, he aroused by his abundant good fortune the envy of other merchants, as usually happens among men of this kind. And as dishonesty rarely cares for measure, it happened that four or five Belgians violently assaulted him at an appointed time. After receiving injuries and wounds, in order to defend himself he fired at them a pistol which he was carrying for self-protection, and he killed one of the assailants; wherefore he was rushed to prison, and his friends and relatives fear lest something harsh be decided against him. Since they are confident that our friendship will greatly influence you on account of your kindness and courtesy, they have begged us by our letter kindly to intercede in their cause with your Majesty. This we are by no means reluctant to do, for we judge the said youth, who is humbly taking refuge in your royal kindness and clemency, to be worthy of compassion and mercy, seeing that he is not one vilely to take anyone's life in an evil spirit and intention, but rather one who, exasperated by serious injuries, only repelled violence with violence. Wherefore we urgently ask your Majesty that, if it should be established after an inquest is held that the case is such and that the said young man killed another not with evil intent but in self defense, your Majesty kindly order that he be restored to his former liberty, and that his property and wealth, even now detained under arrest, be handed over to him as soon as possible. This will be most pleasing to us, who shall willingly repay with the like tokens of grateful and ready favor any whatever of your Majesty's kind services to us. May God the greatest and highest keep you safe. Given from our Hall of Westminster, August 2, 1655.

Your good friend,¹⁴⁴

[OLIVER P.]

He had more reason to expect results from this on account of the recent treaty and proposed Swedish recruiting in Scotland. Connected with it was a piece of business attended to at this moment which seems to bear no relation to Monk's activities though it was apparently intimately bound up with the events in Scotland. This was the contract with the East India Company for repayment of £50,000 which the Council was borrowing. That obligation was to be met by three equal payments over a period of two years, and according to the understanding of those interested, part of the proceeds of the loan were to be used for the payment

¹⁴⁴ Latin original not signed is in the Riksarkivet in Stockholm. Copy in Rawl. MSS., A261, ff. 53-53v. Latin *infra*, App. II (39).

of "the forces that are to be reduced in Scotland." ¹⁴⁵ In later years Sir John Banks, a rich merchant of London, told Samuel Pepys a curious and not wholly probable story of this transaction:

. . . when there was due to him and Alderman Mico £64,000 from the Dutch for injury done to them in the East Indys, Oliver presently after the peace, they delaying to pay them the money, sent them word that if they did not pay them by such a day he would grant letters of mark to those merchants against them; by which they were so fearful of him they did pay the money every farthing.¹⁴⁶

The story may have in it a grain of truth, though it was told at a distance of ten years and Sir John's memory or imagination may have played him some tricks. No such sum appears in the transaction either on the part of the Company or the government, and it can hardly be connected with this particular transaction for the money was already in England and, as appears from the minutes of the Company on July 18, 1655, the "Councell acquainted them that his Highness hath great occasion at present for mony, and therefore they desired the Company to lend them the said summe of £85,000 for twelve months."¹⁴⁷ Whether or not the government got all of the Dutch indemnity, it certainly appears that they got some of it, and it seems tolerably certain that it went into the pockets of the disbanded soldiery:

Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland and the Dominions thereto belonging. To the Commissioners of and for our Treasury and to the committee of . . . and other Officers of the Exchequer of Us and Our successors for the time being . . . and to every of them Greeting. Our will and pleasure is and we do hereby require and command you or any two or more of you that out of such our treasure as is or shall be in the receipt of the Exchequer you pay or cause to be paid unto the Governor and Company of Merchants trading to East India or to such person or persons as they shall appoint to receive the same the sum of fifty thousand pounds of lawful money of England at the times and in the proportions hereafter mentioned, that is to say the sum of sixteen thousand six hundred sixty six pounds thirteen shillings and fourpence being one third part of the said sum at the end of one year to commence from the day of the year this present. The like sum of sixteen thousand six hundred sixty and six pounds thirteen shillings and fourpence one other third part thereof at the end of six months to be reckoned from the determination of the said year. And the like sum of sixteen thousand six hundred sixty six pounds thirteen shillings and fourpence the full residue and remainder of

¹⁴⁵ Quoted in Foster, *Court Minutes*, v, vi, from Thurloe Papers; *Rawl. MSS.* A29, p. 53. Cp. *Cal. S. P. Dom.* (1655), p. 256: July 24 — to advise that of the £50,000 which Viner and Riccard are to pay in, £30,000 be paid to Blackwell and Deane "for pay of the forces to be reduced in Scotland."

¹⁴⁶ Pepys' *Diary*, Feb. 19, 1664.

¹⁴⁷ Wm. Griggs, Birdwood & Foster, *Relics of the Honourable East India Company* (1909), pp. 9-10; cp. also Foster, *Court Minutes*, v, 39.

the said fifty thousand pounds at the end of the year to be reckoned from the determination of the said six months. The same to be in full payment and satisfaction of and for the like sum of fifty thousand pounds lent by the said Governor and Company unto us for the service of the Commonwealth out of the sum of eighty five thousand pounds remaing on deposit and in the hands of Sir Thomas Vyner knight and Andrew Riccard aldermen of our city of London. And for so doing these presents or the enrollment thereof shall be a sufficient warrant and discharge to you our said commissioners and all other officers and ministers of our said Exchequer to whom it shall or may any way appertain. In witness whereof we have caused these our letters to be made patent. In witness our Seal at Westminster the seventh day of August in the year of Our Lord one thousand six hundred fifty five.¹⁴⁸

There was, then, more to the transaction than appears on the face of this document. The government was in great straits for funds and this "borrowing" from the East India Company bore a certain resemblance to Charles I's forced loans of unhappy memory. The demands for money were great and increasing, not merely for the army and the fleet but for the payment of the numerous officials throughout the British Isles. Even at this moment the salaries of the clerks and the assistant clerks of the councils in Scotland and Ireland were settled at £300 and £200 respectively.¹⁴⁹ To the salaries of the Irish Council were now added those of the members of the Council in Scotland and presently those of the excise collectors. Whitelocke and Widdrington had each been given £1,000 a year apiece; and a multitude of lesser men clamored for place and pay. In the midst of directing the policies of state at home and abroad, this concern for the minor matters of administration was never absent, and it was the more important in that it was necessary for a government with such slender basis for its existence to keep in close touch with every detail of domestic affairs and especially to pay its officials. Nor was this all of its concern. On Thursday of this week, in addition to a proclamation commanding execution of the laws against drunkenness and profanity, for observing the assizes of bread, ale and fuel, weights and measures, for "setting the poor on work and providing for the impotent and aged poor,"¹⁵⁰ the Protector addressed a letter to the officials of Lynn commanding them for their activity in purging their body of "those unworthy of such a trust," that is to say, presumably, of those opposed to the existing government:

¹⁴⁸ From a facsimile of the original in the possession of the East India Company (parchment records, no. 20), reproduced in Griggs, Birdwood & Foster, facing p. 10; see also Foster, *East India House*, pp. 28-31, and *Court Minutes*, v, 50. The spaces indicate words that are illegible.

¹⁴⁹ Thurloe, iii, 701; *Cal. S. P. Dom.* (1655), p. 275. Heath's *Chronicle*, 373, (under 1655) notes militia pay established at £100 a year for a captain, £8 for a trooper, with proportional amounts for intermediate ranks or for extra service.

¹⁵⁰ Crawford, i, 369, no. 3057.

*To Thomas Greene, Mayor of Linne, John Maye, Bar-Wormell, Jonas Scot,
Thomas Toll, & Josua Greene Aldermen of the Town of Lynn aforesaid
GENTLEMEN,*

Having been acquainted by Lieutenant Colonel Biscoe with your readiness to manifest your good affection to us and the present affairs and the zeal you have shown for the settling the government of your Corporation in the hands of honest and faithful men, who will mind the common good and reformation of your whole body, We have thought ourselves obliged to take notice thereof and to assure you that you shall always find us ready to assist and encourage you in so good and Christian a work as being that which the dispensation of God towards us and this people does call for and require at the hands of all those with whom he hath entrusted any power and authority. And therefore as you have begun to purge and reform your own Councils and Assemblies from those who have showed themselves unworthy of such a trust, so we doubt not but you will proceed therein as you shall find the way opened unto you, wherein as we said before you shall have all just countenance and concurrence from us. I rest,

Your loving friend,

Whitehall,
9^o Aug. 1655.

OLIVER P.¹⁵¹

And among these lesser but important details, he signed at this moment a letter to his son-in-law in Ireland in behalf of another claimant:

To Charles Fleetwood

Dear Charles,

The bearer, Mr. Grace, having obtained an ordinance from ourselfe and councell, in reference to his compounding for his estates, and being, by reason of sickness, hindered from going over into Ireland to prosecute the same, the perfecting of his commission hath been retarded; and being now going over thither, hee hath besought me to recommend his case to you, that he may have a speedy and favourable dispatch of that business; which I most earnestly desire of you, upon the merits and equity of his case, hee being, I think, the only person that the late lord-deputy did soe particularly recommend to favour, upon the account of his forwardness and readiness to assist the English forces and interest.

I rest, your loving ffather,
OLIVER P.¹⁵²

White-Hall, August 9, 1655.

¹⁵¹ Copy in Rawl. MSS. A261, f. 53v.

¹⁵² Pr. in *Memoirs of the Family of Grace*, by Sheffield Grace (L., 1823), p. 39, with the additional information that this John Grace of Courtstown had the benefit of the personal intercession of the Protector in "two letters of his own writing in 1655, besides three official orders upon the subject," which are still extant, besides this letter to Fleetwood. Cp. the ordinance of 30 Aug., 1654, noting that Grace "did relieve diverse of the English" in the rebellion of 1641. Ludlow says Grace was "a notorious Irish rebel" (*Memoirs*, i. 380). Cp. *Cal. S. P. Dom.* (1654), pp. 276, 377; *ibid.*, 1655, pp. 337, 593; and *Cal. S. P. Ire.* (1647-60), p. 820 for

The Protector acted in fact as king and more than king, or as Marvell wrote in a poem just then being read,

For to be *Cromwell* was a greater thing
Then ought below, or yet above a King.¹⁵³

It did not satisfy many men who believed that the title should accompany the power. Norbury's petition that Oliver should take the title of king or even emperor had circulated freely among the officers and found some favor there,¹⁵⁴ but there was bitter opposition to it especially among some of those about the Protector and particularly among those who might aspire to succeed him as Protector but obviously not as king. There were others like it then current,¹⁵⁵ but some stressed rather the easing of burdens, regulating laws, and enabling the people to choose and be chosen members of Parliament.¹⁵⁶ To all of these the Protector paid but little attention, though Norbury was summoned before the Council on August 14 to account for his petition, which was presently withdrawn, the officers deciding to adhere literally to the *Instrument of Government*.¹⁵⁷

On Thursday Bonde had another private audience which to Paulucci seemed "likely that it concerned the help desired by that king for the Protestant faith."¹⁵⁸ Two days later the Swedish envoy was entertained at Hampton Court with Fleetwood, Whitelocke, Lawrence and Claypole, where they ate oysters, "went to the gallery . . . heard music; went into the park; killed a stag; then to the bowling green and played bowls; then kissed the hand of Cromwell's wife and his daughter's face; then drank a glass of Spanish wine and returned to London."¹⁵⁹ Amid these relaxations he took occasion to address another letter — by now familiar in form and content — to the States General:

To the Estates of Holland

Oliver, Protector of the Commonwealth of England, Scotland, Ireland &c.
To the Exalted and Potent Lords, Lords-Governors of Holland, our Dearest Friends, Greeting.

Exalted and Potent Lords,

Representation hath been made to us by the petition of Thomas and William Lower that they, through the last Testament of Nicholas Lower, legally executors of the Grace case. The ref. in the 14th *Rept. Deputy Keeper Pub. Records*, App. p. 28, is apparently an error.

¹⁵⁵ *The First Anniversary of the Government under His Highness the Lord Protector.* Published early in 1655.

¹⁵⁴ Paulucci to Morosini, Sept. 7/17, *Ven. Trans. R. O.*

¹⁵⁵ *Clarke Papers*, Aug. 11, iii, 48.

¹⁵⁶ Noted Aug. 6 in *Perf. Diurn.*

¹⁵⁷ Cp. *supra*, and *Cal. S. P. Dom.* (1655), pp. 278, 281-82.

¹⁵⁸ Paulucci to Giustinian, Aug. 12/22, *Cal. S. P. Ven.* (1655-6), p. 98; Bonde's diary.

¹⁵⁹ *Ibid.*; Whitelocke, p. 629.

cuted by him, have been designated as his heirs; by virtue of which testamentary legacy property and some goods in Holland, belonging to the said Testator immediately before his decease, by unquestionable right ought to be allotted to these said heirs, since the said Testator at the time when he made his will was capable of drawing up a will and the legal requirements for drawing it up were adhered to, and nothing exists in law by reason of which the said heirs should be kept from entering upon their inheritance. But nevertheless, although they long since entered suit on this case at the Hague and have incurred very large expenses in connection with it, yet such is the power of their opponents in the litigation that they are still held back by them from getting their just rights, and by the postponements that have been procured they may be afflicted with no slight loss of their family property. We, having pondered the justice of this cause, desire the same recommended to your exalted and potent lordships; requesting you urgently that you deign to give instructions to the Judges of your tribunals that immediate justice be rendered the said Plaintiffs, since there is no great difference whether Justice be denied or be long and damagingly delayed. We indeed, in view of your remarkable wisdom and, in deciding cases, very conspicuous soundness, which has become known to us from many pieces of evidence, have confidence that you will undertake such systematic consideration in regard to this case that those to whom it rightly belongs may succeed at the first possible moment to the property and goods of the deceased. In conclusion to which we desire your Exalted and Potent Lordships commended to the Divine Grace.

Given from our Court at Westminster the 10th of August in the year 1655.

Your good Friend,

OLIVER P[ROTECTOR] ¹⁶⁰

This sort of correspondence to which England had long been a stranger before the Protectorate was but a part of her new position in European affairs. It was accompanied by other manifestations of her new status. In Piedmont, moved by the intercession of Cromwell and Mazarin under Cromwell's instigation, the Duke of Savoy issued a pardon to his Protestant subjects, enlarging somewhat the limits of toleration.¹⁶¹ From Russia Prideaux wrote Thurloe expressing his uneasiness at the omission of the Protector's titles in the Czar's letter to him, whether by oversight or intent.¹⁶² From Amsterdam came a report that jealousy of the Protector and his good relations with Sweden had inspired the equipment of a fleet intended for the Baltic.¹⁶³ From Brussels and Cologne came intelligence that news of the defeat at Hispaniola had arrived;¹⁶⁴ and finally by way of anti-climax there arrived in the Thames a ship carrying

¹⁶⁰ Trans. of copy in *Rawl. MSS.*, A261, f. 54. On Sept. 12 the Protector sent a letter exactly like this to the States General except to the address was added "Babantia et Zelandia." See *infra*, App. II (40).

¹⁶¹ Morland, p. 562.

¹⁶² Prideaux to Thurloe, Archangel, 8 Aug., Thurloe, iii, 698-99.

¹⁶³ Intelligence from the Hague, 10/20 Aug., *ibid.*, pp. 704-5.

¹⁶⁴ Nicholas to Jos. Jane, Cologne, 10/20 Aug., *Cal. S. P. Dom.* (1655), p. 281.

six beautiful Barbary horses for the Protector, sent, apparently, by the English resident at Genoa, Longland, through the medium of Blake and his communications.¹⁶⁵

The other business of the week, with perhaps one exception, was of no great importance. The Protector attended but one Council meeting,¹⁶⁶ at which John Norbury appeared to answer for his petition in favor of giving Cromwell full legislative power, especially with regard to debtors and creditors,¹⁶⁷ in response to which the Protector reprobated him, ordered to call in what copies he could, hand over the undistributed copies to the Council, and break the press.¹⁶⁸ The Council ordered £1,000 for repairs to Whitehall and Hampton Court but stipulated that all future bills for that purpose be charged to the Protector's family expenses.¹⁶⁹ Of more significance was the question of the reduction of the armed forces. The Protector himself gave directions for a warrant to the Exchequer for £4,000 for the Treasurers-at-War to pay the reduced forces in England and Wales.¹⁷⁰ The reduction of some of the garrisons in Scotland was under consideration,¹⁷¹ and a commission was issued on the 14th for a new council in Scotland whose authority was to expire on June 24, 1658.¹⁷² It was charged, not unreasonably, that as the Protector had sent men not favorable to him, like Penn and Venables, to the West Indies, he took occasion of reducing the forces to disband those units which consisted largely of Presbyterians or others more or less hostile to the Protectorate, leaving under arms only such Independent forces as could be relied on to support his government. If he did, it was a natural precaution such as has been exercised at all times by men in his position. Beyond these were the usual petitions,¹⁷³ generally referred

¹⁶⁵ Paulucci to Giustinian, 12/22 Aug., *Cal. S. P. Ven.* (1655-6), p. 98. Powell, *Blake*, p. 295.

¹⁶⁶ On Tuesday the 14th. Other meetings on Wed., Thurs. and Fri. *Cal. S. P. Dom.* (1655), p. xxvii.

¹⁶⁷ *Ibid.*, pp. 281-82; see *supra* and Gardiner, iii, 307; *Clarke Papers*, iii, 48-9.

¹⁶⁸ *Cal. S. P. Dom.* (1655), p. 282.

¹⁶⁹ *Ibid.*

¹⁷⁰ Thurloe, iii, 711; see also *Cal. S. P. Dom.* (1655), p. 292.

¹⁷¹ Dundee, "Cromerte," and others not named (*Perf. Diurn.*, 15 Aug.).

¹⁷² Thurloe, iii, 711. Only Monk, Broghill and Charles Howard were explicitly named; see *supra* and *Cal. S. P. Dom.* (1655), p. 290, for Broghill and Whetham salaries.

¹⁷³ Two orders of 7 and 16 Aug. approved on Aug. 17 (*ibid.*, p. 292). Petitions: Chris. Riddell alias Roshe for free denization and order (*ibid.*, pp. 283-4); Cap. Rich. Pechell for arrears owed by Major Bethell for whom he was executor (*ibid.*, p. 284); John Whicker and others, owners of the *Gilliflower*, for freight and rental, arrears from 1644 (*ibid.*, pp. 287-88); Sir Henry Anderson for £7,000, signed by Cromwell (*ibid.*, p. 290); Joanna Saville to receive her discoveries, on reference from his Highness (*ibid.*, p. 281 and ref. to *ibid.*, 1654, p. 288); Eliz. Folderoy for part of her husband's augmentation according to H. H.'s order (*ibid.*, p. 289); George Tirrey and Noah Bridges as to licensing of victuallers referred by

to the Council by the Protector or to the Protector by the Council, orders, warrants and the like which came to his attention and served to drain his time and energy.

Among them, two at this moment deserved some attention. The first was a letter to his son Henry, then in Dublin, where he was made Chancellor of the University, in behalf of James Coppering, son of a man who, according to tradition, had done Cromwell some service in earlier years.¹⁷⁴ The other was a formal "denization" of three members of the Carvajal family, whose head was the chief of the so-called "Marano" community in London, which indicates, among other things, the Protector's favorable attitude to the Jews, who had, in turn, according to rumor, been of such use to him, of which Carvajal's reported close connection with Thurloe seems to provide some evidence:

For the Lord Henry Cromwell

HARRY CROMWELL.

Upon the addresses of James Coppering, Esq., finding that his case (if truly stated by the enclosed) to be different from many others. And in respect of his ffather was faithfull to ye parliament in assisting them against the Rebellion, and lending them at the first £500 towards maintenance of their army, and supplying them with victuals and other necessarys upon wch accompt the Rebels burned his house and his Castles, and he himself never acted agt ye Parliament and hath Lately marryed a gentlewoman who is a protestant and of good repute We desire that all favour may be shewn him both as to his estate and alsoe exempting him from transplantation and rest.

Your Loving ffather,

Whitehall, 14th May [?Aug.] 1655.

OLIVER P.¹⁷⁵

To the Commissioners of the Great Seal

Oliver Lord Protector &c. To the Commission^r of our Great Seale of England greetinge, wee will and comand you that under our said great Seale of England you cause our lres to be made for the patents in forme following Oliver Lord Protector of the Comonwealth of England Scotland and Ireland and the dominions thereto belonging To all to whom theis p^rsents shall come Greeting whereas Anthonio Ferdinando Carvayall a Stranger borne in the parts beyond the Seas haveing as wee are informed for the space of twentie yeaeres and upwards been an Inhabitant in this nacon and beinge willinge and desirous to plant himselfe and his posterite in this Comonwealth to live peaceably and quietly under the Lawes and Government thereof hath humbly besought us

"Oliver P." noted as beginning "I", obliterated, and begun first "we", then "We," (*Life . . . of Sir William Dugdale*, ed. W. Hamper (1827), 281n.).

¹⁷⁴ See vol. ii, *supra*, p. 185.

¹⁷⁵ In *History of the Copingers or Copperings*, ed. Walter Copinger (1884) p. 405, from Commonwealth volume 26, A18, page 68, Irish Public Record Office. In Hickson, *Ireland in the Seventeenth Century*, ii, 397, dated Aug. 14, as in Dunlop, *Ireland under the Commonwealth*, ii, 536-7.

for our lres patents of denizacón to himselfe and his two sons Alonso Jorge Carvaieill and Joseph Ferdinando Carvayall Know yee therefore the wee beinge well perswaded of the good affecon of the said Anthonio Ferdinando Carvaiall unto this Comonwealth and the present Government thereof have given and granted and by theis p'sents for us and our Successo^{rs} doe give and grannt unto him the said Anthonio Ferdinando Carvayall and unto Alonso George Carvayall and Joseph Ferdinando Carvayell his sonnes and to every of them respectively by what other name or surnames or addicons of names or Surnames degrees or places they or any of them now are or late were or have been called or knowne That the said Anthonio Ferdinando Carvayall Alonso Jorge Carvayall and Joseph Ferdinando Carvayall and every of them respectively at all tyme and tymes from and after the date of theis presents duringe their severall and respective naturall lives *shalbe* and shalbe adjudged reputed and taken to bee in all and every respect Condiçon and degree and to all intents Construccōns and purposes whatsoever as the naturall people of this Comonwealthe and as persons borne within the same And that the said Anthonio Ferdinando Carvayall Alonso Jorge Carvayall and Joseph Ferdinando Carvayall and every of them respectively shall from tyme to tyme henceforthe have full power and authoritie to sue implead prosecute maintaine advow justifie and defend all and all manner of Accōns suites and Causes and all other lawful things whatsoever as fully Liberally and freely as if they the said Anthonio Ferdinando Carvayall Alonso Jorge Carvayall and Joseph Ferdinando Carvayall every or any of them respectively had beeene borne or were borne within this Comonwealthe and as any other person or persons being naturally borne within this Comonwealth by their being borne within the same may or might lawfully in any wise sue impleade prosecute advow maintaine or doe. And further wee doe by theis presents for us and our Successo^{rs} grant to the said Fernando Carvayall Alonso Jorge Carvayall and Joseph Ferdinando Carvayall and every of them respectively That they and every of them respectively shall and may from and after the date hereof during their severall and respective naturall lives bee and shalbe enabled to all intents and Construccōns and purposes to have hold and enjoye any lands tenem^{ts} and hereditaments whatsoever within this Comon wealth by way of purchase or guift of any person or persons and the same to use and enjoye and to give sell alien or otherwise dispose thereof to any person or persons whatsoever at their and every of their owne Libertie and pleasure as freely quietly lawfully and peaceably as any of the naturall people of this Comonwealth borne within the same may or might lawfully doe. And alsoe that they the said Anthonio Ferdinando Carvaiall Alonso Jeorge Carvayall and Joseph Ferdinando Carvayall and every of them respectively shall and may from hence forth quietly and peaceably have and enjoye all and all manner of lawful Liberties franchizes and priviledges within this Comonwealth as if they the said Anthonio Ferdinando Carvayall Alonso Jeorge Carvayall and Joseph Ferdinando Carvayall or any of them respectively had been borne within the same or as any of the naturall people thereof by their beinge borne within the same doe or may lawfully enjoye And this without the vexacon molestacion impediment challenge or Calumny of any person or persons whatsoever any Statute Act ordinance provision custome or other thinge whatsoever at any time heretofore enacted made ordayne or provided or any other matter cause or

thinge whatsoever to the contrary in any wise notwithstandinge provided alwayes that they the said Anthonio Ferdinando Carvayall Alonso Jorge Carvayall and Joseph Ferdinando Carvayall and every of them respectively shall heereafter keepe and yeild obedience to all and singular lawes ordinances Acts Statutes and proclamacons of this Comon wealth already made and ordained and which shall hereafter be made and ordained accordinge to the forme and effect of the same And that they the said Anthonio Ferdinando Carvayall Alonso Jorge Carvayall and Joseph Ferdinando Carvayall and every of them respectively shall from tyme to tyme duly answere and pay to us and our Successo^{rs} all such subsidies customes and other dutys for their wares goods and marchandizes as aliens and stranngers doe or ought to answere and pay Any thinge in theis presents contayned to the Contrary notwithstandinge In witness whereof &c. witness &c. And theis our lres patents shalbe your sufficient warrant and discharge in this behalfe. Given under our privy Seale at White-hall the seventeenth day of August in the yeare of our Lord one thousand six hundred fiftie and five

By privy Seale.¹⁷⁶

It was evident from many sources that the part of England in world affairs was becoming more important almost day by day. By this time the English exploits in the West Indies were matters of more or less common knowledge, though in accordance with principles accepted in certain quarters in that day matters "beyond the line," however warlike, were not of necessity causes of hostility in Europe itself unless the parties concerned chose to make them so. Despite the Western Design and Blake's expedition, Cardenas remained in London, and, unwilling to appear before the Protector in person, contented himself with sending Barrière in his stead to point out the danger of the Spanish fleet in the West Indies and the detriment to English trade there by reason of the war. The Protector was so civil to Barrière that Cardenas even entertained some slight hope that Jamaica might be returned,¹⁷⁷ though as Paulucci reported to his government:

Since the measures taken here against the Spanish dominion, the Catholic ambassador has rather sought retirement and is watching rather than negotiating, greatly indignant at Cromwell's ungrateful and deceitful conduct, upon which he expressed himself when I saw him recently . . . He asked me after the Ambassador Sagredo and . . . said no more except that he had the same experience as all the other foreign ministers here, namely, that self-interest is the sole guide to the actions of this government.¹⁷⁸

To his master, Philip IV, Cardenas wrote that the Protector's hypocrisy went so far that he was not at all sure that war could be averted,

¹⁷⁶ *Jewish Hist. Soc., Trans.*, ii, 45-6.

¹⁷⁷ Cardenas to Philip IV, Aug. 20/30, *Simancas MSS.* 2529, cited in Gardiner, *Comm. and Prot.*, iv, 169.

¹⁷⁸ Paulucci to Giustinian, Aug. 24/Sept. 3, *Cal. S. P. Ven.* (1655-6), p. 103.

no matter what was said.¹⁷⁹ To Bordeaux the Protector mentioned Nice and Villefranche as suitable places to land troops, and Morland noted Cromwell's intention to send ships for this purpose; ¹⁸⁰ though the trouble in Piedmont was now partially settled. That would eliminate the possibility of an attack and, it was reported from Rome, necessitate the fabrication of a new pretext for delaying the French treaty.¹⁸¹ According to the Protector's order, £5,000 of the £15,000 to be sent as aid to the Piedmontese was to be paid to one John Lodowick Calandrin.¹⁸² Besides this there was little to record. Through Thurloe, Nieupoort was urging the Protector to join with the States General, Brandenburg and Denmark to block any Swedish attempt to monopolize the Baltic trade.¹⁸³ Peter Pett was endeavoring through the same source to get pay for the men who searched the vessels in the Medway and the Thames by the Protector's order earlier in the year for Wilmot and others suspected of being in England on business for Charles II.¹⁸⁴ In Moscow Prideaux delivered Cromwell's letter to the Czar, sent a list of the quantity and price of goods sent from "this last mart," Archangel, and wrote that the Czar was sending some sable skins to the Protector.¹⁸⁵ At home, about the middle of August, there was scattered about the streets a "libel," entitled *Queries for H. H. to answer to his own conscience*, in regard to his intentions "touching the Anabaptists in the army."¹⁸⁶ From Evesham came a protest to him against the persecution of the Quakers there;¹⁸⁷ and a number of pamphlets appeared relating to Stouppé's recent publication of a collection of papers relating to the Piedmont massacres.¹⁸⁸ With these and the accounts of the English ventures in the West Indies;¹⁸⁹ the appearance of Biddle's letters to the Protector and Lawrence;¹⁹⁰ the protests of the Fifth Monarchy followers of Rogers and Feake;¹⁹¹ and the continuing controversy over the transplantation policy in Ireland,¹⁹² the English reading public in this summer of 1655 was provided with much material as to the Protector's actions, opinions and policies, both for and against him.

To all of this he was outwardly indifferent, contenting himself with the issue of official and semi-official publications relating to the Savoy persecution.¹⁹³ When he returned from Hampton Court he plunged at

¹⁷⁹ Cardenas to Philip IV, cited in Gardiner, *Comm. and Prot.*, iv, 169.

¹⁸⁰ Bordeaux's letter, Aug. 16/26, *Fr. Trans. R. O.*; *Clar. MSS.*, liii, f. 132.

¹⁸¹ Thurloe, iii, 724.

¹⁸² *Cal. S. P. Dom.* (1655), p. 290.

¹⁸³ Nieupoort to de Witt, 17/27 Aug., 24 Aug./3 Sept. in *De Witt's Brieven*, iii, 112, 114-15.

¹⁸⁴ Pett to Thurloe, Aug. 16, Thurloe, iii, 720.

¹⁸⁵ Prideaux to Cromwell, Aug. 15, *ibid.*, iii, 711-14.

¹⁸⁶ Thomason, ii, 125.

¹⁸⁷ Abbott, *Bibliog. of O. C.*, no. 786.

¹⁸⁸ *Ibid.*, nos. 790, 792.

¹⁸⁹ *Ibid.*, nos. 735, 736.

¹⁹⁰ *Ibid.*, no. 733.

¹⁹¹ *Ibid.*, no. 750.

¹⁹² *Ibid.*, nos. 758, 764.

¹⁹³ *Ibid.*, nos. 790, 792, 796.

once into affairs of state, attending Council meetings on Tuesday and Wednesday and twice on Friday.¹⁹⁴ Thursday was kept as a day of humiliation and prayer for seasonable weather, as the harvest had been almost ruined by excessive rains.¹⁹⁵ But the main business of the Protector and Council¹⁹⁶ was that of the major-generals, whose instructions, with those of the commissioners in the respective counties, were read, amended, altered, and finally approved on August 24.¹⁹⁷ They were then put over until September, but the names of the commissioners were agreed to and those of the major-generals left as they had been on August 9.¹⁹⁸ On August 22 the Protector reappointed John Owen as vice-chancellor of Oxford University, and incidentally ordered the sheriffs of London and Middlesex to discharge one John Catterall from custody, as part of the Protectoral prerogative of remitting the death penalty for offenses less than murder, though he condemned Catterall to transportation:

*To the Reverend ye Pro Vice Chancellor and the
Convocation of the University of Oxon these*

Gentlemen

We understand that the time for ye Nominatinge a Vice Chancellor for the next yeare is now approachinge, and consideringe how necessary it is that the Government of ye University be continued in an able and faithfull hand; We doe hereby nominate and appoint Doctor John Owen Deane of Christ Church to the Place of Vice Chancellor to your University for ye yeare followinge, not doubtinge but he will answer that Care and Vigilancy, which the service and occasions of that Place doth call for, wherein allsoe you shall not want the ready assistance of

Gentlemen

White-Hall

Your loveinge Friend and Chancellor

August the 22. 1655.

OLIVER P.¹⁹⁹

¹⁹⁴ *Cal. S. P. Dom.* (1655), p. xxvii; on Aug. 22 he approved 4 orders of Aug. 17 (*ibid.*, p. 296).

¹⁹⁵ *Clarke Papers*, iii, 50; *Perf. Diurn.*, Aug. 23; Paulucci to Giustinian, Aug. 31/Sept. 10, *Cal. S. P. Ven.* (1655-6), p. 105.

¹⁹⁶ Petitions: Aug. 21, Capt. John Poyntz for arrears out of undiscovered estates, ref. to Strickland and Jones (Hampton Court Aug. 21); Charles Walley of Chester for audit of his accounts for shipping troops to Ireland (ditto, July 16) ref. signed by Protector; order to pay Embree £4,000 for repair of Protector's houses. *Cal. S. P. Dom.* (1655), pp. 294, 295, 298.

¹⁹⁷ *Ibid.*, p. 296.

¹⁹⁸ *Ibid.*, p. 297; *Clarke Papers*, iii, 50, notes that commanders-in-chief for new militia had been appointed in counties.

¹⁹⁹ Copy in Oxford University archives, *Acts of Convocation*, 1647-59, p. 269. Identical with reappointment of Oct. 14, 1653; cal. *supra* p. 110, except for the use of "W^e" in place of the earlier "H^e", the signature "Oliver P." at "White-hall" in place of "O. Cromwell" at "Cockpitt".

To the Sheriff of London and Middlesex

OLIVER P.

Whereas by warrant under our Sign Manual of the 20th of July last, we commanded that John Catterall now prisoner in our Gaol of Newgate, and who at our Sessions of Gaol delivery for Newgate aforesaid was convicted, and attainted of felony and burglary, for which he was condemned to die, should be reprieved and the Judgment given against him forbore to be executed, with this further that he should be transported to the West Indies. And forasmuch as we are now given to understand that the said John Catterall is not as yet transported, but remains still in our said prison, and a petition on his behalf having been humbly addressed to us, praying instead of his transportation to the West Indies aforesaid, he may have his liberty to go to sea in our service, in the *Adventure* frigate, one of our ships of war, Our will and pleasure, therefore is, and we do hereby require and command you the Sheriff of our City of London and County of Middlesex that you discharge and set at liberty the said John Catterall, to the end he may forthwith repair to and serve us at sea in the frigate aforesaid, or some other of our ships of war. In which said service our will and commandment is, that he constantly remain, and perform his duty therein with all faithfulness and diligence. And for so doing this shall be your warrant, Given under our sign manual at Whitehall the 22th day of August 1655.

To our trusty and well beloved the Sheriff of our City of London and county of Middlesex.²⁰⁰

The Catterall document, insignificant as it seems, had wider interest. It was a not uncommon practice, then and thereafter, to supply the pressing need for sailors by sending such convicts to sea even against the protests of commanders who too often found such men a disturbing element on shipboard. And it is a comment on the execution of such orders to find Catterall petitioning later for another order as the sheriffs refused to obey this one on the ground that it had not been sealed, and he begged for "delivery from a place of so much horror and confusion" as his prison,²⁰¹ which seems to indicate peculiar sensibility for a man convicted of such crimes.

Such details only served to interrupt the more important concerns of the Council which on August 24 sat until eight in the evening on secret business,²⁰² which very possibly had to do with reinforcements for the Western Design and the repercussions of that expedition on the Continent. It had begun to affect even the designs of the Royalists. Hyde strongly recommended to the Spaniards to aid in distracting Cromwell's attention from the West Indies by keeping him busy at home, perhaps by

²⁰⁰ *S. P. Interreg.*, c. 161(1); summary in Lomas-Carlyle, suppl. 111.

²⁰¹ *Cal. S. P. Dom.* (1655), p. 359.

²⁰² *Clarke Papers*, iii, 50; Paulucci to Giustinian, Aug. 24/Sept. 3, *Cal. S. P. Ven.* (1655-6), p. 102.

a declaration of the King of Spain in favor of Charles II which might divert many ships from fighting the Spaniards and bring them to the service of their own king.²⁰³ This, fantastic as it seems, appears to indicate that Charles II's exiled Chancellor entertained some hope that the Penn-Venables expedition was at heart largely Royalist in its sympathies. On the other hand, Downing had delivered the Protector's letter to Mazarin who professed to desire an understanding, on the grounds that Spain had designs against Cromwell; and the English envoy reported that the Savoy affair had been concluded and enclosed a copy of the articles which had been signed at Pignerol on August 8/18 between France and Savoy.²⁰⁴ None of this, however, appeared in the letter he now addressed to Louis:

To Louis XIV

Most Serene and Most Potent King,

The occasion of writing to your Majesty under the present circumstances presents itself as by no means agreeable, since this letter of ours contains the well-justified complaints of merchants of this Commonwealth, whose ships long since in Havre in Normandy were, with great loss of their property caused to their owners, involved in arrest and seized, contrary to right and justice, through the agency of your officials and servants. After we had protested about the matter, as reason justified, with Lord de Burdigala, [Bordeaux] your envoy to us, we expected that that remedy would be applied which the justice of the cause indicated; but, since nothing has resulted from it, but the said owners are still diverted from recovering their ships and goods, and since as petitioners they had recourse to us and complained by no means without cause about the injustices inflicted on them, we could not neglect their most reasonable entreaties that we inform your Majesty (In regard to which we confidently expect for ourselves nothing that is not worthy of your kingly justice and mercy) Assuredly it is not only in conflict with the Law of Nations and natural Justice that merchants who peacefully enter the ports of Friends and trust themselves to the justice and protection of that place which they approach for the purpose of trading, be seized there in hostile fashion, and held as prizes; but this is also most obviously at variance with that friendliness in which we have always included your subjects doing business in our ports. It may be that on the basis of Repressaliae some ships of Frenchmen have been seized at sea, yet there has always been for them the right to use and enjoy the security and service of our ports. Unless this is granted, it is sure to result that all commerce betwixt the two nations, be not only damaged and diminished but that it be completely lost, and that it all collapse. Wherefore we can expect no less than that your Majesty may deign to give command vigorously and

²⁰³ Hyde to Don Luis de Haro, Cologne, Aug. 21/31, Macray, iii, 55-6 no. 154; *Clar. State Papers*, iii, 275.

²⁰⁴ Downing to Thurloe, Aug. 25/Sept. 4, Thurloe, iii, 734-5. Articles in Morland, pp. 652-64; Dumont, vi, pt. ii, 114-7, dated Aug. 19. Cp. also Jean Leger, *Hist. générale des églises évangéliques des Vallées de Piemont* (Leyden, 1669), p. 216; Londorpii, *Acta Publica*, vii, 1011; *Theatrum Europeum*, viii, 841.

effectually that the ships of Englishmen, together with their cargoes, detained in the aforesaid port or elsewhere, be freed at the first possible moment and the by no means slight damages which they have sustained from this action be covered by compensation. This besides we request of your Majesty.

OLIVER P.

Given from our Court at Westminster 22nd August 1655
To the Most Christian King of the French Dominions and Navarre.²⁰⁵

This protest which was one common enough in this state of more or less undeclared war between the English and the French — though not between their governments — was accompanied by a report from Marseilles that those friendly to the Protector were forced to stay indoors and guard their houses on account of the seizure of a French ship from Smyrna by an English vessel.²⁰⁶ Nor were these all the foreign interests of the moment. On August 23 the Swedish envoy, Bonde, wrote his master that he had recently had an interview with Cromwell who declared that many believed the Swedish-Polish war unnecessary, but that he himself felt no obligations to Poland. On the other hand, the Dutch, who were of the same religion as himself and had nobly thrown off the yoke of the Papacy, felt otherwise, and in the face of that situation he needed time to consider the proposal of an alliance between England and Sweden. The Pope wished to make peace among all Catholic powers and attack the Protestants, and it was therefore the more necessary that God's work begun by the great Gustavus should be completed by the great King Charles.²⁰⁷ It was, in effect, the Protector's policy to keep on good terms with both Swedes and Dutch, not merely from religious but from economic motives, and, if possible, to keep them from each other's throats. Even while he commended the great Gustavus and encouraged his successor, he was busy in negotiations with the Netherlands. As a result of the recent Anglo-Dutch war, the English Merchant Adventurers had been deprived of their trading rights or privileges in the United Provinces. The Protector had earlier appealed to the States General for a resumption of these trading facilities but to no avail, and he now renewed his application in somewhat stronger terms:

To the States General of the United Provinces

High and Mighty Lords:

We addressed a letter on October last to your High and Mighty Lordships with regard to the reestablishment in fixed and convenient places under your sovereignty of the Company of English Merchants, whom We call Adventurers, since their residence had been interrupted for some time owing to the recent

²⁰⁵ Trans. of copy in Rawl. MSS., A261, f. 54v. Latin in App. II (41).

²⁰⁶ Aldworth to Thurloe, Marseilles, Aug. 21/31, Thurloe, iii, 727.

²⁰⁷ Bonde to Charles X, Aug. 23, Stockholm Trans. quot. in Gardiner, iv, 292
^{202n.}

war. How great are the conveniences and benefits that have accrued to each nation from the staples or emporia of the said merchants that have been established in your country, as well in the way of fostering friendship between the two peoples as in the promotion of trade and commerce between them, will be attested by that long series of years in which the aforesaid Adventurers have frequented your Belgium. Whence very many privileges have been granted to them under solemn pacts and agreements entered into by both parties, and definite places were formerly assigned, to which they might convey the woolen manufactures of this Commonwealth and thence more conveniently distribute them by sale. It is, therefore, the more surprising that, in a matter which is of no small importance to both peoples, such difficulties and long delays should have been injected, as if We had asked for the granting of new privileges and not simply for the renewal of old ones. It is certainly untimely after a treaty of mutual intercourse and closer friendship had been recently made, again to seem to call into doubt the old privileges of the Merchants which had been solemnly established by numerous laws and confirmed by long lapse of time. Therefore, we have held it necessary again to ask in a most friendly way your High and Mighty Lordships, as We do also by this letter ask, that you deign to receive with your former favour the said Company, that they may be able to establish their emporia in such places as shall seem most convenient for the selling of their wares, and that they may use and enjoy the same immunities, exemptions, and privileges as heretofore. This will testify your good will toward the consolidation of a most firm friendship between the two states and toward the avoidance of all causes of offence which might in any way alienate their minds from one another. It will render us too more bound to the performance of reciprocal offices of good will for you and your subjects, as occasion shall offer. Given from our Court at Westminster, August 24th, in the year 1655.

Your good friend,
OLIVER P.²⁰⁸

The strength and activities of the Merchant Adventurers which had been so great in the time of Elizabeth and James I had somewhat declined but were still important as was evidenced in the concern which the Protector showed in the affairs of the company in its principal European center, Hamburg, and now in his efforts to re-establish its position in the Netherlands. It was not unrelated to affairs in the north and east of Europe which took up much of his time and attention in these days, chiefly on account of the ambitions of Sweden and its war with Poland and Denmark. In that the Dutch were no less interested, especially in the control of the Baltic, and Nieuport had received strict orders to report to the States General all that happened in the interviews between

²⁰⁸ Latin original, with the right hand edge in bad condition, is in *Algemeen Rijksarchief*, St. Gen. 6915, in the Hague. Noted as received Sept. 3/13. Copy in *Rawl. MSS. A261*, f. 55. "Op de resolutions of the States General Oct. 14. N. S. in Thuisdeel IV. 67. Latin in App. II. (42)." A n. 1000

the Protector and the Swedish agent, Bonde,²⁰⁹ who had been received with so much enthusiasm a few weeks earlier. In private conference Bonde "baited" the Protector on the subject of religion and drew from him, in addition to praise of Gustavus Adolphus, what Bonde interpreted as an intimation that war against Poland and the Empire would be acceptable to the Protector,²¹⁰ which is in accord, at least, with Thurloe's report on Cromwell's idea of his championship of the Protestants against the Emperor as head of the Catholic interest. But Bonde was less interested in the Protector's religious ideals than in a plan for the presence of twenty English ships in the Baltic as an offset to the Dutch there, in exchange for the presence of a like number of Swedish ships in the North Sea to assist England if need arose.²¹¹ Meanwhile the English envoy, Rolt, received a warm welcome in Sweden from Oxenstierna, who seemed apparently more favorable to the Protector than he had appeared to be when Whitelocke had interviewed him.²¹² All this, joined to the activities of Blake, Penn and Venables, was naturally repugnant to the Spaniards, and Cardenas was instructed to take leave of the Protector, even if he should make concessions,²¹³ as they had endured as much as they could at his hands.²¹⁴

In the meantime the Protector took occasion to address a plea to Broghill in behalf of the Countess Dowager of Carnwarth:

*To the Lord Broghill and the rest of the Council
in Scotland*

MY LORD & GENTLEMEN,

We having received the enclosed petition and annexed paper from the Countess of Carnwath an English woman and her demands therein being as we conceive very reasonable, in case the allegation in her petition be true, we have thought fit to transmit her papers and desires to you, recommending them to your special care, that she being a stranger in those countries may not be injured and oppressed either by an unjust detainer of what is her due, or by being wearied out with long and expenseful suits for the recovery thereof the way for examining the Justice of her demands, and giving her relief, if there be cause, I leave to you who being upon the place, can best direct what will be most equal and expeditious. And hereof I desire you to give us an account with what convenient speed you may. I rest,

Your loving friend,

OLIVER P.²¹⁵

[Aug. 24–Sept. 12, 1655?]

²⁰⁹ Resolutions of the States General, Aug. 23/Sept. 2, Thurloe, iii, 729.

²¹⁰ Bonde to Charles X Gustavus, Aug. 23, *Stockholm Transcripts*.

²¹¹ Bonde to Thurloe (in Latin), Aug. 25, Thurloe, iii, 736.

²¹² Rolt to Thurloe, Aug. 25, *ibid.*, pp. 736–7.

²¹³ Instructions to Cardenas, Aug. 26/Sept. 5, *Simancas Trans.*, Guizot, *Cromwell*, ii, 548 dated incorrectly in October.

²¹⁴ Received by Cardenas Oct. 8, Gardiner, *Comm. & Prot.*, iv, 170.

²¹⁵ Copy in Rawl. MSS., A261, f. 54v. Katherine Dalzell, Countess Dowager of

All in all it seems from these various pieces of evidence that in spite of opposition at home and abroad, there was no visible diminution of the Protectoral authority. It was, if anything, stronger than before. This appeared, among other things, in the fact that it was decided at this moment that a seal for the Council in Scotland was to bear the arms of that country with the Protector's family crest — a lion rampant — as a so-called "escutcheon of pretense"²¹⁶ imposed on the main coat of arms, indicating suggestively the wearer's pretension to some distinction not his by right of descent. To this the Treasury Commissioners added a recommendation that some of the Protector's "lawns and enclosures" and some forest lands be let,²¹⁷ in addition to an earlier order that fit persons be authorized to enquire into the selling of timber from those estates,²¹⁸ so that, whatever his title and however it was acquired, it appears that he enjoyed the perquisites of royalty. Among them was his adoption of a suggestion from the same authority to the committee of the Council on the Colchester petition that he write to the inhabitants of that borough to instruct them to proceed with their election and to submit to him the names of the officials chosen, which accordingly he did.²¹⁹ These may, indeed, seem trifles, but they show even as early as this which way the wind was blowing, and taken in connection with the petitions urging him to take a higher title than that of Protector, indicate the beginnings of a movement which was presently to assume great importance:

To the town of Colchester

Trusty and well beloved, we greet you well. Taking notice, that some petitions from several persons touching the town of Colchester and the government are now depending before our council, which (in respect of the nature thereof) cannot be suddenly determined; and being withall advertised, that the time appointed by your charter for electing of magistrates for that corporation is monday next; we have thought fit hereby to signify to you our will and pleasure, that you proceed to election of officers for the said town, as usually you,

Carnwartha, had begged that the estate of Gavin, Earl of Carnwartha be seized. The Council of Scotland referred the case to the law courts, but finding no relief there, the Countess appealed to the Council of State in Jan., 1655–6. *Cal. S. P. Dom.* (1655–6), pp. 114, 152–3.

There was also an order of Aug. 24 directing the Council for Irish affairs to allow Lady Frances Butler a competent part of her jointure for the maintenance of herself and her children, or else £200 a year (*Cal. S. P. Ire.*, 1647–60, p. 628).

²¹⁶ *Cal. S. P. Dom.* (1655), p. 303; cp. Henfrey, *Numis. Crom.*, pp. 197–98 for calendar of orders concerning the seal, and *ibid.*, pp. 212–13 for description and cut of it.

²¹⁷ *Cal. S. P. Dom.* (1655), p. 198.

²¹⁸ *Ibid.*; it is annexed to the order of June 5, 1655 to this effect.

²¹⁹ Thurloe, iii, 745; *Cal. S. P. Dom.* (1655), p. 309; cp. Gardiner, *Comon. and Prot.*, iv, 64–67, and Round, "Colchester under the Commonwealth," *Eng. Hist. Rev.*, xv, 641.

have done, having respect in the said election to the peace and good government of the town; and that within four days after such election, you present to us the names of the persons elected, to be approved by us, before they be sworn. And so bid you farewell. Given at Whitehall this 31st day of August, 1655.²²⁰

To this he added on this same 31st of August his first proclamation in regard to the settlement of the new conquest of Jamaica:

A Proclamation of the Protector relating to Jamaica.

Whereas, by the good providence of God, our fleet, in their late expedition into America, have possessed themselves of a certain island, called Jamaica, spacious in its extent, commodious in its harbours and rivers within itself, healthful by its situation, fertile in the nature of the soil, well stored with horses and other cattle, and generally fit and worthy to be planted and improved, to the advantage, honour and interest of this nation:

And whereas divers persons, merchants, and others heretofore conversant in plantations and the trade of the like nature, are desirous to undertake and proceed upon plantations and settlements upon that island:

We therefore, for the better encouragement of all such persons so inclined, have by the advice of our council taken care, not only for the strengthening and securing of that island from all enemies, but for the constituting and settling of a civil government, by such good laws and customs, as are and have been exercised in colonies and places of the like nature, have appointed surveyors and other publick officers, for the more equal distribution of publick right and justice in the said island.

And for the further encouragement to the industry and good affection of such persons, we have provided and given orders to the commissioners of our customs, that every planter or adventurer to that island shall be exempt and free from paying any excise or custom for any manufactures, provisions, or any other goods or necessaries, which he or they shall transport to the said island of Jamaica, within the space of seven years to come from Michaelmas next.

And also that sufficient caution and security be given by the said commissioners, that such goods shall be delivered at Jamaica only. And we have also, out of our special consideration of the welfare and prosperity of that island, provided, that no customs, or other tax or impost be laid or charged upon any commodity, which shall be the produce and native growth of that island, and shall be imported into any of the dominions belonging to this commonwealth: which favour and exemption shall continue for the space of ten years, to begin and be accounted from Michaelmas next. We have also given our speciall orders and directions, that no embargo or other hinderance, upon any pretence whatsoever, be laid upon any ships, seamen, or other passengers or adventurers, which shall appear to be engaged and bound for the said island.

And we do hereby further declare, for our selves and successors, that whatsoever other favour, or immunity, or protection shall or may conduce to the welfare, strength, and improvement of the said island, shall from time to time be continued and applied thereunto. Given under our hand.²²¹

²²⁰ Thurloe, iii, 753.

²²¹ *Ibid.*, p. 753; also in *Interesting Tracts relating to Jamaica* (1800), pp. 1-23.

With these exceptions the Protector's activities were much restricted during this week and for some time thereafter owing to his general indisposition,²²² and at the end of the week he was reported not well enough to go to Hampton Court.²²³ He did, indeed, undertake without the help of either Council or Triers the examination of one Cordwall, a minister who was "preaching downe the ministry of the nation."²²⁴ But beyond this the only event in his life was the death of his uncle, Sir Oliver, for whom he was named, at the advanced age of ninety-three, and then, as it were, by accident. He had, it appears, been out in the rain and drying himself before the fire, swooned and fell into it.²²⁵ This was hardly a blow to the Protector for Sir Oliver was a devout Royalist "always beholding the usurpation and tyranny of his nephew, godson and namesake, with hatred and contempt;"²²⁶ but it marked the breaking of another link with the past, and the end of such family connection with Huntingdon as remained. That was, indeed, but slight, for Sir Oliver had long since lost his splendid mansion of Hinchinbrook to the Montagus and had lived at Ramsey Abbey where his eminent nephew had once had a stormy and apparently a last interview with him some dozen years before.²²⁷

But if there was little or no news of the Protector that week, there was enough of the various enterprises in which he had engaged his country. From his governorship in Barbados, Searle issued a proclamation by the Protector's order that no one who had been transported to the West Indies for delinquency or any civil offence was to leave that island, nor was any one to lend assistance to another in an endeavor to escape, above all not ship-captains who would be fined if caught helping any such runaways.²²⁸ Sedgwick, who had earlier led an abortive expedition against New Amsterdam, then turned his ships and men against Acadia with much success, had sailed from Plymouth on July 11 with twelve vessels and eight hundred men under Colonel Humphrey to reinforce the forces of the Western Design. He wrote that they had arrived in Barbados Roads on August 27,²²⁹ but his impression of the whole project was as distressing as his later experience was to verify. Jamaica had,

Crawford, i, 369, no. 3059, makes reference to these versions, but his outline of the articles of the proclamation follows the text as given in *Cal. S. P. Col. Am. & West Indies, Addenda, 1574-1674*, pp. 97-98, under October 10.

²²² Bonde's diary in Swedish archives, 43rd Rept. Dep. Keeper Public Records, App. II, p. 50.

²²³ *Clarke Papers*, iii, 51.

²²⁴ *Ibid.*, iii, 50.

²²⁵ W. Dugdale to John Langley, Sept. 8, *Hist. MSS. Comm. Rept.*, 5, App., p. 176.

²²⁶ Fuller's *Worthies* (1840), ii, 107; Noble, *House of Cromwell*, i, 48.

²²⁷ Cp. i, 227, of this work.

²²⁸ Thurloe, iii, 743.

²²⁹ *Ibid.*, iv, 4-5; *Pub. Intell.*, Nov. 12-19, dated September 1.

indeed, been taken, and Goodson had sacked and burned Santa Marta, but the English hold on their new conquest was but slight. Penn and Venables had quarrelled; Penn had sailed for England on June 25 and Venables followed him on July 4, leaving Goodson in command. Penn, in fact, was then only a few days out of London and sent in a report of his nine weeks' voyage from Jamaica,²³⁰ little realizing what fate awaited him on his arrival in England. All in all the news from this ambitious design was depressing in the extreme at this moment and could hardly have cheered the Protector in his illness, if he had known of it, as he was to soon enough.

It was in some measure counteracted by the news from other quarters. From Cascaes Roads, off Lisbon, Blake wrote an account of the chasing of the Spanish fleet, which, upon reconsidering his orders from the Protector, he had abandoned, conceiving, as he wrote, "it was not the intention of your Highness that we should be the first breakers of the peace." Upon meeting with one of the Spanish ships, he discovered from its captain that the Spaniards were equally unwilling to begin hostilities and were under orders only to await the arrival of the Plate fleet. He added that he was despatching home Mr. Maynard to give an account of his negotiation with the king of Portugal — which, as it turned out, had been fruitless.²³¹ On the other hand the Spaniards had been successful against the French in Italy, in Catalonia and in the West Indies, and this circumstance, it might be assumed, would make the French more than ever anxious to sign the treaty with England. On his part, however, the Protector was displeased with the part he conceived that France had played in Piedmont and ordered Downing, who had apparently never gone beyond Geneva, to return and report, while Morland was to stay and distribute the funds which had been collected in England for the relief of the Piedmontese.²³²

Instructions to the commissioners for Piedmont.

1. To go to Berne, and there to complain of the late peace made by the Duke of Savoy, and how destructive it must needs be to the poor people of the valleys.
2. To let them know how it is everywhere, amongst the protestants, looked upon as a thing done with the consent of the ambassadors of the evangelical cantons, and exceedingly laid to heart; especially, considering that a commissioner extraordinary was then upon his way from his highness of England, and another from the states of Holland; and withal the little respect shewn to the

²³⁰ Thurloe, iii, 753; *Memorials of Penn*, ii, 131; *Clarke Papers*, iii, 51. Penn arrived at Portsmouth on September 1. Cp. Firth and Davies, pp. 722-3.

²³¹ Powell, *Blake*, pp. 306-10; Thurloe, iii, 718-19 without date. Written Aug. [30?] and probably the letter read in the Council Sept. 12 with that date (*Cal. S. P. Dom.*, 1655, p. 329) and acknowledged in Cromwell's letter of Sept. 13 (cp. *infra*); Thurloe, iii, 752.

²³² Thurloe to Pell, Sept. 10, Vaughan, *Cromwell* i, 260.

ambassadors of the cantons, not vouchsafing to mention them in the treaty, or rather concessions.

3. To know whether they will own and acquiesce in this treaty, or will not send new instructions to their ambassadors at Turin to complain against this peace and seek to have it renewed and mended.

4. That they have all the reason possible so to do, considering that the treaty is not signed by their ambassadors; that it was a thing brought on by the menaces of the French ambassador; that things since the treaty have been foisted into it highly to the disadvantage of the protestants; that also what is in it is not observed, but on the contrary, La Tour being now fortifying by the Duke of Savoy.

5. That yourself, and two more of us, being now at Geneva, will be ready any or all of us to go to Turin, (where some of us, at least, will be very speedily,) there vigorously to prosecute the amendment of the treaty, and to do what further may be necessary, in case the duke will not yield thereunto.

6. That sixty thousand pounds is voluntarily gathered in England for the relief of these people; that we are ready to dispose of it in such a way as may really tend to the good and security of the people.

7. That the case of these people may be to-morrow the case of the protestants in France, or elsewhere. And if it shall be enough, after horrible massacres, to grant such abominable concessions as these, assuredly this will be the greatest encouragement imaginable to the papists elsewhere to attempt the protestants.

8. That the treaty between his highness and the king of France is agreed, but that his highness will not sign it until he have satisfaction in this business of Piedmont; and that as he hath caused a large contribution to be made for them, so that he cannot, nor will not desert them.

Pasted on, in Mr. Secretary Thurloe's hand: —

"Present my service to Mr. Pell, if he be with you. I wrote not to him, because I have not yet heard of his arrival." ²³³

The Protector's illness not only kept him from his week-end at Hampton Court but also, by the doctors' orders, from all matters of business, so that the Council did not trouble him with affairs of state, though it was reported that he was recovering from his "fits of cholick and stone." Paulucci wrote, however, that his indisposition was due to his "perturbation of spirit," which he ascribed to a sermon recently delivered before the Protector at Hampton Court accusing him of overthrowing England's peace and ruling tyrannically, for which the preacher was imprisoned.²³⁴ It was further suggested that he was disturbed because the army officers had refused him full legislative power;²³⁵ and it is certain that, apart from his physical disabilities, he had enough at this moment to upset him. Whatever the origin of his indisposition, it was sufficient to prevent an audience with Nieupoort²³⁶ and to evoke a refusal of the

²³³ Quoted in *ibid.*, pp. 260-61 from the Pell papers.

²³⁴ Paulucci to Giustinian, Sept. 7/17, *Cal. S. P. Ven.* (1655-6), p. 109.

²³⁵ *Ibid.*; cp. *Perf. Diurn.*, Sept. 8; Bonde's *Diary*; *Hist. MSS. Rept.*, 5, App., p. 176. ²³⁶ Nieupoort to States General, Sept. 7/17, Thurloe, iv, 17-19.

Council to attend a dinner given by the Lord Mayor, on the ground that the Protector's absence had increased the Council's business.²³⁷ It is apparent from this incident and from others of like character that even the Protector's iron constitution was giving way, and one need only compare his signature at this time with those earlier to see that he was a very tired, if not broken, old man.

Feeble as his hand may have been, it still clung strongly to the reins of government. It was noted at this time that "Cromwell is exceeding intimate with the Swedish ambassador . . . they dine, sup, hunt, and play at bowls together. Cromwell never caressed any man so much, nor sought the friendship of any so much as the King of Sweden . . . I believe one part of the design is to make Sweden master of the Baltic; and that therein or otherwise it may prove as ruinous to the States as to any others," perhaps even forcing Denmark to concur with them.²³⁸ The Royalists, still filled with wishful thinking, went on to say that because the Protector found himself more unpopular every day and could no longer even trust his own army, he had been arranging for three months to get a Swiss guard of three to five thousand men. To this end a Swiss colonel, one Balthazar, had been in London for some time, and Swiss were gradually filtering into the country under pretence of settling in Ireland, supposedly with the aid of funds collected for the Piedmontese.²³⁹ This story was buttressed by a report that within some two months Sir Edward Pitts had met a Swiss colonel in the Hague who told him confidentially that he had received £20,000 from Cromwell in Holland to raise forces in Switzerland to join with the Huguenots in France.²⁴⁰ So far had the facts of the contribution to the Piedmontese been distorted.

In Cromwell's absence from its meetings, the Council took various steps looking toward the pacification, or at least the intimidation, of the country. It drafted a circular letter to various sheriffs ordering them to enforce the laws against Popish recusants.²⁴¹ It supplied the names of Barkstead, Foxcroft and Dethick in the printing ordinance;²⁴² and it ordered that no news be printed without Thurloe's permission or approval.²⁴³ But the main business at this moment was the departure of

²³⁷ *Cal. S. P. Dom. (1655)*, p. 324. It was unusually busy, meeting five days that week (*ibid.*, p. xxvii). Cp. *Clarke Papers*, iii, 51; *Cal. S. P. Dom. (1655)*, pp. 313-4, 317, 329, 339 for petitions, etc.

²³⁸ Nicholas to Jane, Sept. 4/14, Sept. 7/17, *Cal. S. P. Dom. (1655)*, pp. 315-6, 325.

²³⁹ Same to same, Sept. 4/14, *ibid.*, pp. 315-6; intelligence sent to Charles II, *ibid.* Cp. also Macray, iii, 58, no. 159; Clarendon, *History*, xv, 24.

²⁴⁰ Nicholas to Jane, Sept. 14/24, *Cal. S. P. Dom. (1655)*, p. 336; *Hist. MSS. Comm. Repts., Various Collections*, ii, 352.

²⁴¹ *Cal. S. P. Dom. (1655)*, p. 313. *Hist. MSS. Comm. Repts., Various Collections*, i, 132, says by the Protector, but it refers to this order which apparently was not signed by him.

²⁴² *Cal. S. P. Dom. (1655)*, p. 318; approved Oct. 9.

²⁴³ *Ibid.*, p. 319.

Fleetwood from Ireland, and his virtual replacement by Henry Cromwell, whose pay was raised from three to six pounds a day during Fleetwood's absence.²⁴⁴ Fleetwood sailed for England on September 6, and his regiment with that of the Lord General was ordered to be ready to go to Scotland in October.²⁴⁵ This marked a distinct turning-point in Protectoral policy. The Lord Deputy took his seat in the Council, adding another support to his father-in-law in that body. Though he retained his title for the time being, the duties of his office were taken over, in effect, by Henry Cromwell, whose ideas of the transplantation policy were opposed to those of his brother-in-law and not wholly in accord with those of his father. For where Fleetwood had been inclined to a policy of complete transplantation, Henry Cromwell favored only the expulsion of those who had actually borne arms against the Commonwealth. He was no less favorable to a policy of discountenancing the Anabaptists in the army, who had flourished under Fleetwood, and of promoting the interests of the "ancient Protestant inhabitants," who had been dispersed and oppressed during the disturbances of preceding years. Meanwhile as much of the army in Ireland as was safe to dispense with had been gradually disbanded, so that in the first months of Henry Cromwell's government the forces had been reduced from their original strength of some 34,000 men to scarcely more than 20,000, with a corresponding saving in expense. Efforts were made to settle the disbanded men on the land but with small success and they added another element of danger to a situation already too disturbed by Royalist plots and Anabaptist unrest. In effect, the departure of Fleetwood marked the end, if not the breakdown, of the rigid transplantation policy. It had proved equally impossible to drive all Irishmen from the land and to replace them with Englishmen. Thenceforth the more moderate counsels of men like Petty and Gookin were to prevail against the crusading efforts of the more radical religious elements which had been in the ascendant under Fleetwood's government.²⁴⁶

Closely connected with the Irish problem was that of the settlement of the English possessions in the West Indies, now increased by the capture of Jamaica. From the beginning of his career in the civil wars, Cromwell had disposed of as many of his prisoners as possible by transportation to those regions as Welsh, Irish and Scotch had been captured and given or sold into bondage. It was reckoned that some 8,000 had thus found their way to Barbados, some 4,000 more into other English possessions, and even some 800 into French Guadeloupe, besides other thousands who had been sent to or who had found refuge on the Con-

²⁴⁴ *Ibid.*, p. 318; approved Sept. 21.

²⁴⁵ *Ibid.*, p. 320.

²⁴⁶ Cf. Gardiner, *Comm. & Prot.*, iv, ch. xlv; Bagwell, *Ireland under the Stuarts*, ch. xxxviii.

tinent.²⁴⁷ Penn had now just returned from Jamaica²⁴⁸ and was immediately ordered to appear before the Council to provide information "in order to their further resolutions touching the ships and forces in the West Indies."²⁴⁹ The new possession of Jamaica, it was reported, suffered from the scarcity of women, and it was voted by the committee of the Council in England — though the suggestion does not seem to have been carried out — that a thousand girls and a thousand boys be sent thither from Ireland.²⁵⁰ The scheme of sending out delinquents seems not to have appealed to Governor Searle of Barbados, who declined to take responsibility for them until he had definite orders from the Protector as to their disposal.²⁵¹ On the other hand, the Council hastened to order that £40,000 arrears of wages for twelve months be paid the crews engaged in the Western Design,²⁵² talked of sending reinforcements to that enterprise, and additional colonists, some, perhaps, from Scotland, to hold the territories gained.²⁵³

In the Protector's continued absence from its sessions, the Council went on with the usual grist of minor business — petitions;²⁵⁴ a recommendation to recall Downing to report on the Savoy business; licence to export three horses to the King of Sweden as presents from the Protector and Whitelocke; and a warrant to the keeper of the Gatehouse to hold John Lingley or Lingen for endeavoring to aid one Ravenscroft to surprise Chester Castle — which seems to indicate continued Royalist activity.²⁵⁵ For his part, though apparently aloof from routine business for the time, the Protector took this occasion to write two letters, one to the States General on behalf of the Lowers, the other apparently in reply to Blake's letter of August 30, which the Council had considered without taking any action:²⁵⁶

To the States General of the United Provinces

High and Mighty Lords:

Remonstrance has been made to us through the petition of Thomas and William Lower to the effect that they were, by the last will of the late Nicholas

²⁴⁷ Cp. *ibid.*

²⁴⁸ Bonde's Diary in Swedish archives.

²⁴⁹ Lawrence to Penn, Sept. 3, *Cal. S. P. Dom.* (1655), p. 312. His account to the Council, Sept. 12, in Thurloe, iv, 28-30.

²⁵⁰ Bagwell, *ut supra*.

²⁵¹ Searle to O. C., Sept. 3, Thurloe, iv, 6-7.

²⁵² *Cal. S. P. Dom.* (1655), p. 312.

²⁵³ Broghill to Thurloe, Sept. 18, Thurloe, iv, 41.

²⁵⁴ Gallilee for release of his son, Capt. Thos. Gallilee from Turks and letter "suggested to be written by the Protector to the agent for Venice"; (*Cal. S. P. Dom.* (1655), pp. 328-9); Capt. Thos. Roberts for arrears, annexing letter of C. to Roberts, May 9, 1648 (cp. *supra*, i, 607), ordered Sept. 13, appr. Sept. 21 (*Cal. S. P. Dom.* (1655), p. 331).

²⁵⁵ *Ibid.*, pp. 328, 597.

²⁵⁶ *Ibid.*, pp. 328-29.

Lower drawn up by him in legal form, stated to be his heirs. By virtue of his testamentary donation certain chattels and goods in Holland, Brabant, and Zeeland belonging to the said testator immediately before his death should by indubitable right come to these his said heirs. Although the said testator was at the time when he made the will legally able to make a will, and, in making it, used the legal formalities, and there is nothing in the law to prevent the said heirs from coming into their inheritance, nevertheless, although they have, after incurring very great expense for the purpose, long since begun proceedings in the case at The Hague, still, such is the power of the litigants on the other side that the plaintiffs have up to the present time been prevented by them from obtaining their right and have suffered by prolonged delays no small loss to their property. We, having weighed the justice of this case, desire that the same be recommended to Your High and Mighty Lordships, earnestly asking You to deign to entrust it to the judges of Your courts, in order that quick justice may be done for the said plaintiffs, since it matters little whether justice be denied or be long and uselessly deferred. We, however, in consideration of Your singular prudence and well-tested integrity in rendering decisions, which We have come to know through many proofs, trust that You will in this case arrange that these to whom these things rightly belong shall come into possession of the chattels and goods of the defunct as soon as possible. Closing with which, We desire that Your High and Mighty Lordships be commended to the Divine Goodness. Given from Our Court at Westminster, the 12th of September, in the year 1655.

Your good friend,

OLIVER P.²⁵⁷

[*To General Blake, at Sea*]

SIR,

We have received yours from Cascais Bay, of the 30th of August, and were very sensible of the wants of the Fleet as they were represented by your last before; and had given directions for three-months provisions,—which were all prepared, and sent from Portsmouth, some time since, under the convoy of the *Bristol* Frigate. But the Commissioners of the Admiralty have had letters of yesterday that they are forced back into Plymouth by contrary winds, and are there now attending for the first slack of wind, to go to sea again. And the Commissioners of the Admiralty are required to quicken them by an express; although it is become very doubtful whether those provisions can come in time for supplying of your wants.

And for what concerns the fighting of the Fleet of Spain, whereof your said letter makes mention, we judge it of great consequence, and much for the service of the Commonwealth, that it were fought; as well in order to the

²⁵⁷ Latin original with one edge in bad condition is in *Algemeen Rijksarchief*, St. Gen. 6915, in The Hague. Received Oct. 12/22, 1655. There is a note in *Rawl. MSS.*, A261, f. 55v, of a letter of Sept. 12 to the States General, the same, "mutatis mutandis," as the one of Aug. 10 to Holland, except that "Brabant and Zeland" is added. For other Lower items cp. *Cal. S. P. Dom.* (1654), p. 275; *ibid.* (1655), pp. 592 and 596. See App. II (40), *infra*.

executing your former Instructions, as for the preservation of our ships and interest in the West Indies: and our meaning was, by our former order, and still is, that the Fleet which shall come for the guarding of the Plate Fleet, as we conceive this doth, should be attempted. But in respect we have not certain knowledge of the strength of the Spanish Fleet, nor of the condition of your Fleet, which may alter every day, — we think it reasonable, at this distance, not to oblige you by any positive order to engage; but must, as we do hereby, leave it to you, who are upon the place, and know the state of those things, to handle the rein as you shall find your opportunity and the ability of the Fleet to be — as we also do for your coming home, either for want of provisions or in respect of the season of the year, at such time as you shall judge it to be for the safety of the Fleet. And we trust the Lord will guide and be with you in the management of this thing.

Your very loving friend,

Whitehall, 13th Sept., 1655.

OLIVER P.

'P.S.' In case your return should be so soon as that you should not make use of the provisions now sent you, or but little thereof, we desire you will cause them to be preserved, that they may be applied to other uses.²⁵⁸

Meanwhile various other matters connected with Blake's expedition came to the Protector's attention. Maynard, later consul at Lisbon, had returned with the reply of the king of Portugal, a translation of which was read to the Council by Thurloe.²⁵⁹ It was not satisfactory, for John IV, like Philip of Spain, was unwilling to agree to those provisions of the treaty negotiated by Peneguião to grant freedom of worship to English merchants and sailors, and in consequence the treaty still hung fire. Meanwhile, too, Venables, who had been desperately ill and who was supposed to have died, had arrived at Portsmouth on September 9 with Colonel Buller and Commissioner Butler, with further bad news from the Western Design, and though he could neither stand nor ride, he was summoned before the Council on September 20 and was thence sent with Penn to the Tower.²⁶⁰ For the moment things were not going well for the Protector, and the Royalists were quick to note his growing unpopularity. Nicholas wrote that Cromwell's cause was lost if he got himself involved in a foreign war,²⁶¹ according to Cardenas on account of his desperate need for money. Sagredo, who had just come from

²⁵⁸ Lomas-Carlyle, CCII, from Thurloe, i, 724 (deciphered). "Seemingly of Thurloe's composition (Signed by Oliver)." [Mrs. Lomas' note]. Blake's letter of Aug. 30, to which this is the reply, noted by Mrs. Lomas as "apparently not preserved," is in Powell, *Blake*, pp. 306-10. For Gardiner's comment on this letter see his *Comm. and Prot.*, iv, 168-9.

²⁵⁹ *Cal. S. P. Dom.* (1655), p. 334.

²⁶⁰ Venables to Cromwell, Portsmouth, Sept. 9, Thurloe, iv, 21-22; *Perf. Diurn.*, Sept. 10; Venables to Thurloe, Sept. 12, Thurloe, iv, 27; *Cal. S. P. Dom.* (1655), p. 343.

²⁶¹ Nicholas to Jane, Sept. 14/24, *ibid.*, pp. 334-6.

Dieppe to Deal, pointed out that the people were suffering under the great burden of taxation made necessary by the demands of the army, which, he added, was at this time kept under especially rigid discipline.²⁶² Nicholas further noted that the Protector's position might well become even worse if he were forced to summon a Parliament, for the Presbyterians then would certainly "Yoke him."²⁶³ The favor shown the Jews would not improve the situation if, as Nicholas reported, the Protector had agreed with them to such an extent that the rabbis were learning English in preparation for settling Judaism in England; and it was certainly true that Jewish services were being held in London.²⁶⁴

The Royalists were further encouraged by the news of the Protector's illness which was not long in reaching the Continent. It was, as usual, exaggerated. Letters from all quarters reported his death on September 9/19 of "the colic, or of convulsions, and some say the devil killed him." If it were true "and Lambert chosen in his place, he may be . . . treated with and pardoned, so as to restore the King."²⁶⁵ The report was so far from being true that the Protector attended the Council on Thursday,²⁶⁶ and at some time during the week, possibly on that same day, Packe, the Lord Mayor of London, was feasted at Whitehall and knighted.²⁶⁷ On the preceding Tuesday the Protector had referred various petitions to the Council,²⁶⁸ among them one from the widow of "Major-General" Edward Gibbons of New England, who in later years and under the title of Major became the subject of antiquarian controversy as to whether he had or had not sent a ship to the western coast of North America.²⁶⁹ Gibbons was, at least, important enough in the eyes of the Protector for him to send a special message to the Navy Commissioners to request them "to consider what course is fit to be taken for the petitioner's relief, and to report unto us their opinion concerning the same."²⁷⁰

²⁶² Sagredo to Doge, Sept. 14/24, *Cal. S. P. Ven.* (1655-6), pp. 111-3; cp. Capt. Anthony Young of the *Tredagh* to Adm. Commrs., Sept. 9 and 11, *Cal. S. P. Dom.* (1655), pp. 529, 532.

²⁶³ Nicholas to Jane, Sept. 14/24, *ibid.*, p. 336.

²⁶⁴ *Ibid.*

²⁶⁵ Nicholas to Jane, 18/28 Sept., *ibid.*, p. 341; Hyde to Clements, Sept. 23/Oct. 3, Macray, iii, 61.

²⁶⁶ *Cal. S. P. Dom.* (1655), p. xxvii.

²⁶⁷ Dugdale to Langley, Sept. 22, *Hist. MSS. Comm. Repts.*, 5, App., p. 176, says Sept. 21; Masson, *Milton*, v, 303, *Parl. Hist.*, xxi, 221 and A. B. Beaven, *Aldermen of . . . London*, ii (L., 1913), 68, say Sept. 20; *ibid.*, p. 19, says Sept. 3.

²⁶⁸ Sept. 19, petition of clerks of Signet and Privy Seal for "competent salaries," (*Cal. S. P. Dom.*, 1655, p. 342); of Margaret, widow of "Maj.-Gen." Edw. Gibbons for relief, ref. Sept. 19 by Protector (*Cal. S. P. Col.*, 1675-6, 96-7); of Thos. Young and other ministers of Worcester, with ref. to Council (*Cal. S. P. Dom.*, 1655, p. 357).

²⁶⁹ Cp. Winsor, *Narrative and Critical History of America* (N. Y., 1886), ii, 462-3 and note for details and bibliography of the controversy.

²⁷⁰ Cp. note 268 *supra*.

On Thursday the matter of the fleet was considered by the Council and Venables was brought in to be questioned by the Protector himself. Demanding to know who sent for him, Venables replied that "the Army had desir'd me to come to represent to his Highness the state of his affairs there, and their extream wants." Then, as Venables relates:

He demanded of me, if I had ever read of any General that had left his Army, and not Commanded back? I reply'd, I suppose History would clear it, tho' my memory discompos'd by sickness could not at present call it to mind, and at last, named the Earl of Essex. He reply'd, a sad example, and ask'd me if I had anything else to say in my defence? I reply'd, I did not expect to be call'd to an Account for this thing, and was not prepar'd to answer; and humbly Crav'd respite for a few days that I might peruse my Papers and Consider the thing fully, and I would then give him a full Answer. He denied me that most just liberty, which a Heathen denied not to Paul, to have time and place to defend himself. I humbly beg'd it again, and was denied, and this added, that I must then speak, or what I had spoke would be looked upon as all I could say.²⁷¹

So, in spite of his physical disabilities and what seem at this distance his reasonable explanations, together with a petition to the Protector for mercy, if not pardon, an offer to be confined to his own chamber and £10,000 bond and "Persons to be Security with me," there was issued immediately, with such haste that one might suspect it had already been prepared, a warrant for the General's imprisonment in the Tower:

OLIVER PR.

Whereas General Robert Venables, being General of the English forces sent into America, hath without Licence deserted the Army Committed to his Charge, contrary to his Trust, These are therefore to will and require you to receive and take into your Custody in our Tower of London the body of the said General Robert Venables, herewith sent unto you, and him to keep in safe Custody until you shall receive order from us to the Contrary; hereof you are not to fail as you will answer the Contrary; and this shall be your Warrant in that behalf. Given at Whitehall this Twentieth of September 1655.

To John Barkstead Esq.

Lieutenant of our Tower of London.²⁷²

On the order of the Council Venables was immediately followed to the Tower by Penn, and each endeavored desperately to be released, using every means in their power to that end. Venables was visited by several persons, including Fleetwood, Lady Melton, "to whom," as

²⁷¹ Venables' *Narrative*, p. 73.

²⁷² For a full, if *ex parte* account of this episode and the accompanying documents see Venables' *Narrative*, pp. 72ff. This order is printed there (p. 77) and in *Interesting Tracts relating to Jamaica*, p. 72.

Venables observed, "General Lambert was ever respective," and a Mr. Eaton, minister of the church of Stockport, who acted as a go-between for Fleetwood, and there ensued an exchange of explanations, petitions and even recriminations. In reply to his appeal to the Protector, Eaton informed Venables that "his Highness was in great rage upon the reading of it, and cast it away, saying 'I would cast the blame of all upon him,'" though it is difficult to read this into Venables' humble and harmless words. It is more probable that the Protector's anger was due to outside criticism. As Sagredo wrote to the Doge, "To satisfy the people and to discharge on their [Penn's and Venable's] heads the criticism and discredit of the enterprise, he would like to have them severely punished; but he does not feel sure that he can safely take this course for fear of irritating the army, and so render hostile his chief defence and support. It is publicly stated that the ill success . . . was due more to the decision to attempt it . . . than to irregularities in carrying it out."²⁷³ Venables was, in fact, as all the army knew, a good officer. He had, as he wrote the Protector, served faithfully thirteen years. He had been desperately ill; and if he had not agreed with Penn, if the expedition had not been successful, there were many who believed, with more or less justice, that its initial failure was due, not only as Sagredo said to the plan itself but to the poor preparations for such an important enterprise. In any event Venables' imprisonment was not of long duration, for he was released by the Protector's warrant on October 30, Penn having been set free on his abject submission five days earlier.²⁷⁴ Neither Penn nor Venables played any further part in affairs until the Protectorate was over. The former retired to his Munster estates and corresponded with the Royalists, and both took some part in the restoration of monarchy, to which, it is fair to assume, both had been partial, though without betraying the trust of the Protector.

The length of the Protector's disability and the interruption to public business on that account may be judged by the fact that the day after the examination and commitment of Venables brought an unusually large list of approvals of past orders, some twenty-eight in all, for the period between August 29 and September 21.²⁷⁵ The character of some of them reveals the importance of this crisis of the Protectorate which saw the establishment of the system of major-generals. Chief among them were orders for securing the peace of the Commonwealth which included imprisonment or banishment of all persons engaged in rebellion against his Highness since December 16, 1653, and sequestration of their estates toward payment of the forces, and his important proclamation against delinquents holding office:

²⁷³ Sagredo to Doge, Sept. 28/Oct. 8, *Cal. S. P. Ven.* (1655-6), p. 119.

²⁷⁴ *Cal. S. P. Dom.* (1655), pp. 396, 402.

²⁷⁵ *Ibid.*, p. 345.

By the Protector. A Proclamation Prohibiting Delinquents to bear Office, or to have any Voice or Vote in Election of any Publique Officer.

Whereas by Act of Parliament made, and published the eighth day of October, in the year of our Lord one thousand six hundred fifty and two; It is (amongst other things) Enacted and Ordained, That no person or persons whatsoever that had his Estate sequestred, or his person imprisoned for Delinquency, or did Subscribe, or Abet the Treasonable Engagement in the year one thousand six hundred forty and seven, or had been aiding, or assisting to the late King, or any other Enemies of the Parliament, should be capable to elect, or be elected, to any Office, or Place of Trust, or Power within this Commonwealth; or to hold, or execute any Office or Place of Trust, or Power within the same; His Highness the Lord Protector in His great Care and Wisdom, considering the premisses, and foreseeing the Dangers this Commonwealth must necessarily be exposed unto, if such Malignant and disaffected persons should be in Offices of Trust and Power in the Commonwealth; And calling to mind the late horrid Treason and Rebellion, contrived and carried on by the inveterate and restless malice of that Party to involve these Nations in blood and confusion; who have avowedly, and with open face professed their end was, and still is (though in the utter ruin and desolation of these Nations) to set up that Power and Interest which Almighty God hath so eminently appeared against; His Highness therefore, in order to the Peace and Welfare of these Nations, committed to His Charge, and to prevent the dangerous consequence of permitting such persons to hold, or exercise any place or Office of Trust or Power in this Commonwealth, hath, by and with the advice and consent of His Council, thought fit to Publish and Declare, and doth hereby signify His Will and Pleasure to be, That especiall Care be taken, That the Magistrates, Officers, and Ministers of Justice elected and chosen within the several Places of this Commonwealth, shall be such as are of pious and good conversation, and well qualified with Discretion, Fitness and Ability to discharge the Trust committed to them. And that no person or persons of what quality or condition soever, whose Estates have at any time heretofore been duly sequestred, or their persons imprisoned for their Delinquency, or who did subscribe, or abet the said Treasonable Engagement, or have been in any wise aiding, assisting, or abetting the late King, or his Family, or Allies, or any other the Enemies of this State and Commonwealth, shall be elected, or give his or their voice or vote, in the election of any Person or Persons to any Office or Offices, Place or Places of Trust, Power or Government, within this Commonwealth; or shall hold, exercise, or execute by him, or themselves, or his or their Deputies or Assigns, any such Office or Offices, Place or Places within the same, untill His Highness Command be further known, on pain of his Highness Displeasure, and such penalties, and punishments as may and shall be severely inflicted on them as disturbers of the publique Peace, and Contemners of His Highnesse just Commands herein: And for the better and more effectual execution of the Premisses, His Highness doth hereby straightly charge and command all Sheriffs, Mayors, Bayliffs, Constables, Head-boroughs, and other Officers and Ministers both Civil and Military in their several Places, to take especial care, That this His Highness Pleasure, and express Commandment, be from time to time in every thing duly performed, as they and every of them will answer the neglect of

their duties herein, whereof His Highness will expect a strict and due accompt from them.

Given at White-Hall the one and twentieth day of September, in the year of Our Lord God, One thousand six hundred fifty and five.²⁷⁶

To this, as an additional precaution was added the "decimation" tax on estates of all sequestered for delinquency and the setting up of commissioners in each county,²⁷⁷ apparently in addition to the major-generals, for whom a form of commission was accepted and approved on September 21,²⁷⁸ though not sent out for three weeks,²⁷⁹ and for whom additional instructions were drawn up.²⁸⁰ These virtually excluded Royalists from any share in the government of a country where they were unquestionably a considerable if not an overwhelming majority. However necessary such steps were, if the revolutionary party was to maintain its position, coinciding as they did with the Penn-Venables imprisonment, and like measures, this activity in repression of disaffected elements gave grounds for the reports of general dissatisfaction with the Protectoral government, among civilians some of whom were penalized for drinking the King's health on their knees,²⁸¹ and even in the army some of whose members were reported as refusing to obey their officers and submitting only when they were told that the Protector himself would come and give them "satisfaction."²⁸²

It gave especial point to the repercussions of a pamphlet published in August, *Queries for his Highness to answer to his own Conscience*, concerning the Protector's intentions concerning the Anabaptists in the army. It was attributed to one John Sturgeon, who, at least, was imprisoned for it. On September 22, John Hay, Lord Tweedale, sometime a follower of Charles II, an "Engager," and presently member of Parliament for East Lothian, took occasion in the *Publick Intelligencer* to repudiate the forgery of his name in connection with the obnoxious pamphlet, any connection with which seemed certain to bring down the displeasure of the government. When to these was added on this eventful September 21 the approval of the order of September 5 prohibiting the publication of any news item without the approval of Thurloe,²⁸³ the full circle of

²⁷⁶ London, Printed by Henry Hills and John Field, Printers to His Highness, MDCLV. Crawford, i, 369; summary in *Cal. S. P. Dom.* (1655), p. 343, noted as approved Sept. 21.

²⁷⁷ *Ibid.*, pp. 346-47.

²⁷⁸ *Ibid.*, p. 344.

²⁷⁹ See Oct. 11, *infra*.

²⁸⁰ *Cal. S. P. Dom.* (1655), p. 344.

²⁸¹ Sagredo to Doge, Sept. 21/Oct. 1, *Cal. S. P. Ven.* (1655-6), p. 115.

²⁸² Nicholas to [Langdale], Sept. 18/28, *Hist. MSS. Comm. Repts.*, *Var. Coll.*, ii, 352. This was said to have occurred at Tuthill Fields.

²⁸³ *Cal. S. P. Dom.* (1655), p. 319; cp. also *Merc. Pol.*, Sept. 27-Oct. 3, and *Pub. Intell.*, Oct. 1-8.

dictatorship seemed finally rounded out. The complete control of the army; the appointment of the major-generals and the commissioners in the counties; the absence of Parliament; legislation by the Protector and Council; the suppression of freedom of the press and the control of the news and the posts, revealed the absolute position of the Protector and his advisers. It may be, as has been said, that Cromwell was a "reluctant" and a "sad" dictator, but he was none the less a dictator, and in a sense he reached the height of his absolute power in these days. It is, indeed, as impossible as it would be unfair to judge him and his government by the protests which arose on every side and at every period against them. It would be equally unfair to ignore them. They did little, indeed, to shake his authority, for so long as he had the army at his back, his opponents were impotent. It is difficult or impossible to judge in how far they affected his policy save in so far as they inspired the measures which he took against them. But it is of interest to note that the most severe of those measures came at the moment when he was recovering from a severe illness which, it is not too much to assume, gave his enemies some hope, however vain, that he might be removed from the scene of his earthly activities. It was to be expected that under such circumstances the energies of those enemies would be redoubled, as they had been earlier under like conditions, and that this, as well as the preparations for a new foreign adventure, lent strength to the measures which he now took to suppress them and secure peace at home while he was engaged in war abroad.

One thing, however, is certain — it is that for the time being liberty had vanished from the British Isles. With everything in control of the army, with public meetings and meeting-places, religious services and even sports and games regulated by the government, with arms forbidden to those opposed to it, with many of those opponents in exile or in gaol, and the rest under bonds or registered with the administration, the revolutionary authorities seemed as secure as they could ever hope to be. It may well be that this climax of their authority was connected with the probability of a war with Spain which might serve to assist domestic disturbance and another attempt to restore Charles II. Nor can it be forgotten that Cromwell's policies were conditioned not only by the ideals which he professed but by the realities which he faced — among them Royalist conspiracy.

The serious illness of the Protector during late August and most of September, 1655, which coincided with the series of orders that touched the high water mark of the effort to subdue the British Isles wholly to the will of the Protectoral system, had for the moment interrupted the ordinary processes of administration. It is not improbable that the rising discontent of the people with that system contributed its share to the Protector's indisposition, nor did the controversy over the Western Design

conduce to his peace of mind. On the other hand, despite its earlier misadventures, that expedition had added the island of Jamaica to the British Empire and that, with the presence of Blake in the Mediterranean, and the Anglo-Swedish *rapprochement*, made him still a formidable figure in the European system. It was reported that there were then no less than thirty-two representatives of European powers in London,²⁸⁴ of whom the Swedish envoy, Bonde, was obviously the Protector's favorite, to the envy of the others, while the English envoy to Sweden, Rolt, was received there with great, if not equal, honor.²⁸⁵

Bordeaux was especially concerned with this situation, still pressing for the signature of the Anglo-French treaty which had been delayed so long under one pretext or another. He was informed, he reported, that the Council was not greatly interested in the matter at the moment but that it had no objection to resumption of the negotiation.²⁸⁶ In return he was ordered to inform the Council that Mazarin had ordered the release of all English ships detained in French ports,²⁸⁷ which was doubtless a relief to the English merchants who were now informed of the Spanish embargo on their ships.²⁸⁸ It was even reported that Cromwell had told the merchants that the King of Spain had declared war against England.²⁸⁹ This under the circumstances was not improbable, however it anticipated the event and distorted the facts, for it was evident that matters had come to such a pass that a declaration of war by one side or the other could not long be delayed. The Spanish merchants complained to the Protector of having been seized and robbed, and he was said to have promised to put ten thousand additional troops into Jamaica.²⁹⁰ The Caribbean situation was, in fact, extremely difficult. Months earlier, in discussing the project of the Western Design, the Protector had defined his conception of it to Venables. "That either there was Peace with the Spaniards in the West Indies, or not. If Peace, they had Violated it, and to seek reparation was Just. If we had no Peace, then was there nothing acted against Articles with Spain."²⁹¹ To him, apparently, there was no inconsistency in such a position. To weaken the power of Spain there or elsewhere was in the nature of a crusade against the powers of darkness, "to consider the work that we may do in the world as well as at home."²⁹² If this contributed to the worldly advantage of his country, it was, in his

²⁸⁴ News from Rome, Sept. 22/Oct. 2, Thurloe, iv, 59.

²⁸⁵ Nicholas to Jane, Sept. 21/Oct. 1, *Cal. S. P. Dom.* (1655), p. 348.

²⁸⁶ Bordeaux to Brienne, Sept. 20/30, *Fr. Trans. R. O.*

²⁸⁷ Brienne to Bordeaux, Sept. 20/30, *ibid.*

²⁸⁸ Cardenas to Philip IV, Sept. 17/27, *Simancas MSS.*

²⁸⁹ Nicholas to Jane, Sept. 28/Oct. 8, *Cal. S. P. Dom.* (1655), p. 338; cp. Oct.

16.

²⁹⁰ *Clarke Papers*, iii, 52; petition and remonstrance, Sept. 20, Thurloe, iv, 44-5.

²⁹¹ Venables' *Narrative*, p. 3.

²⁹² *Clarke Papers*, iii, 207.

eyes, no less important for that circumstance. Nor could the Spaniards be blamed for regarding it as more or less unprovoked aggression for worldly profit against what was, to all intents and purposes, a state in amity with the Commonwealth. Yet such as the situation was, the Protector was determined to make it safe for his country. To this end he had sent his prisoners to that quarter of the world; to this end it was proposed to transport the Irish boys and girls.²⁹³ But to men like Governor Searle of Barbados, and doubtless to many other colonial officials, the intrusion of so many rebels, convicts and bound servants did not appear a wholly desirable addition, and he, at least, protested vigorously.²⁹⁴

Little by little the Protector had begun to work back into his usual routine. When he had sufficiently recovered, he moved his family back to town from their summer at Hampton Court.²⁹⁵ He was disturbed by the illness of his daughter Elizabeth, Mrs. Claypole;²⁹⁶ but his domestic affairs could not be permitted to interfere with his public duties. On September 26 he attended the Council as usual and took part in the important affairs of that Wednesday session. Among them one of the most important was the "reducement" of the forces in Scotland, due chiefly to the difficult financial situation, as the Council's advice to the Protector indicated. He was requested to order Monk "to disband and reduce forces that will retrench £500 a month" and to authorize the commander of the forces in Scotland to charge on "any such parts [as] be now able to pay . . . so much as they can bear towards the making up" of the £1,800 a month proposed in place of the £800 allowed for contingencies there.²⁹⁷ Though the Council's proceedings contain no record of these matters, the instructions given to Mr. Daniel Gookin who was being sent to New England to persuade the colonists there to remove to Jamaica were read and approved and ordered to be offered to the Protector.²⁹⁸ Two letters of this date indicate that there was some concern over the situation of the fleet²⁹⁹ and some inclination to consider colonial affairs:

²⁹³ Henry Cromwell to Thurloe, Thurloe to him, Thurloe, iv, 40, 54 *et passim*.

²⁹⁴ Searle to Cromwell, Sept. 18, *ibid.*, pp. 39-40.

²⁹⁵ *Clarke Papers*, iii, 52.

²⁹⁶ Dr. Slayne to Henry Cromwell, Sept. 28, *Lansdowne MSS.*, 823, f. 226.

²⁹⁷ *Cal. S. P. Dom.* (1655), pp. 352, 356.

²⁹⁸ F. W. Gookin, *Daniel Gookin* (1912), pp. 87ff.; cp. *Cal. S. P. Col.* (1574-1660), pp. 429, 434. These instructions apparently having been approved by the Protector, Gookin left about Nov. 10 (*Gookin, Daniel Gookin*, p. 93).

²⁹⁹ Sept. 26, 1655, a letter in Thurloe's handwriting, signed by Cromwell, asking full particulars of ships of war in the Channel. In a collection of original letters by Cromwell, Hampden, Pym, Lambert and others, bound together. Cat. of Eliot Reed coll., sold Dec., 1913; offered for sale by J. Pearson & Co., 1920; sold by Sotheby, June, 1924.

[*To the Commissioners of Maryland*]

SIRS,

It seems to us by yours of the 29th of June, and by the relation we received by Colonel Bennet, that some mistake or scruple hath arisen concerning the sense of our letters of the 12th of January last, — as if, by our letters, we had intimated that we would have a stop put to the proceedings of those Commissioners who were authorised to settle the Civil Government of Maryland, which was not at all intended by us; nor so much as proposed to us by those who made addresses to us to obtain our said letter: but our intention (as our said letter doth plainly import) was only, to prevent and forbid any force or violence to be offered by either of the Plantations of Virginia or Maryland, from one to the other, upon the differences concerning their bounds: the said differences being then under the consideration of Ourselves and Council here. Which, for your more full satisfaction, we have thought fit to signify to you; and rest,

Your loving friend,

Whitehall, 26th September, 1655.

'OLIVER P.³⁰⁰

This communication, in answer to a letter from the new governor, Digges, who succeeded Bennet and who had "given a signal testimony of his fidelity to Virginia and to the commonwealth of England," was one of the few instances of the Protector's interest in the unsettled situation of what were sometimes called "the Virginias." The Protector, in fact, is said never to have made any appointments of officials for them. The committee appointed to consider the unsettled situation there and the commissioners in the colony were chiefly engaged in the settlement of the boundary dispute between Maryland and Virginia, but the Council of State nominated to the Protector this same Digges who had just been elected by the assembly as governor and thus evaded any possibility of conflict with the local authorities such as might have arisen from the appointment of a governor by the Protector and Council.³⁰¹ With the approach of a breach with Spain, with the West Indies still disturbed, and with even the New England colonies asserting their independence of Protectoral control, it was no time to interfere in the affairs of distant and none too friendly colonies like Virginia and Maryland, beyond keeping the peace between them in so far as possible at such a distance. The extension of his authority there would have meant at least the despatch of a vessel of war, which under the circumstances could ill be spared at this juncture. Even the regulation of hackney-coaches in London seemed more important to the Council at this moment,³⁰² and still more a new religious dispute which arose with the followers of the Unitarian Biddle.

³⁰⁰ Lomas-Carlyle, CCIII, from Thurloe, iv, 55. Answer to Digges' letter of June 29 (Thurloe, iii, 596); cp. *supra*.

³⁰¹ Geo. Bancroft, *Hist. of the United States* (N. Y., 1883), i, 148.

³⁰² Cal. S. P. Dom. (1655), pp. 322, 350-51.

That disturber of the religious situation had been arrested in July, sent first to Poultry Compter, then to Newgate.³⁰³ He was tried early in September and defended himself ably on the ground of the thirty-sixth provision in the *Instrument of Government* which asserted that "none shall be compelled by penalties or otherwise" to the "public profession" of religion.³⁰⁴ Various of his supporters interceded for him alleging that under that provision he could not be punished, least of all by death. Several of the leading Baptists drew up a petition to that effect and were to receive an answer before September 28, but before it reached the Protector it had been so altered that its framers disowned it as a forgery.³⁰⁵ It was reported publicly that Cromwell had discovered the Biddle petition had been added to after some signatures had been secured and was so exasperated that he declared "if Biddle were in the right, he himself and all other Christians were no better than idolaters."³⁰⁶ To one Firmin, who was apparently the prime mover in the petition he declared, "You curl Pate boy you, do you think I'll show Favour to a Man that denies his Saviour, and disturbs the Government?"³⁰⁷ To this he added "that the liberty of conscience provided for in these articles [of the *Instrument*] should never, while he had any interest in the government, be stretched so farr as to countenance them who denied the divinity of our Saviour, or to bolster up any blasphemous opinions contrary to the fundamental verities of religion," "that it was never intended to protect blasphemers from the punishment of the laws in force against them, neither would he."³⁰⁸

This, in effect, was the measure of his toleration, as his various conversations with the men brought before him demonstrates. He was prepared to conciliate in so far as possible Trinitarian Nonconformists of all shades of belief so long as they did not threaten the existence of his own authority, and — measurably — even Episcopalians on the same terms. He was not by nature a persecutor, much less "a man of blood"; he was a champion of Protestantism, and so prepared to go all lengths against Catholicism; but primarily he was concerned in the assertion and maintenance of the Protectorate and within those limits he was prepared to suffer almost any faith that did not interfere with that great purpose. To this end he had sent Feake and Rogers to Windsor Castle, whence they were now transferred to Sandham Castle in the Isle of Wight.³⁰⁹ To

³⁰³ Thos. Crosby, *English Baptists* (L., 1738-40), ii, 206; Wood, *Athenae Oxon.*, iii, 599-600n.

³⁰⁴ Dugdale to Langley, Sept. 15, *Hist. MSS. Comm. Rept.* 5, App., p. 176.

³⁰⁵ Wallace, *Antitrinitarian Biography*, iii, 190-91; *Merc. Pol.*, Sept. 27-Oct. 4.

³⁰⁶ *Merc. Pol.*, Sept. 22. ³⁰⁷ Wood, *Athenae Oxon.*, iii, 599-600n.

³⁰⁸ *Clarke Papers*, iii, 53. These seem to be variant accounts of the same conversation. Cp. also *Merc. Pol.*, Sept. 22.

³⁰⁹ Warrant to Whichcot, Sept. 28, *Cal. S. P. Dom.* (1655), p. 598; order in *Pub. Intell.*, Oct. 8-15.

this end he had sent Lilburne to Jersey, whence it was now ordered he be brought by the next boat.³¹⁰ To this end he had suppressed with firm hand anything which looked as if it might threaten his position in any way. It was not only natural but inevitable that he should take such measures, and no less natural that he should encourage the Jews who were not only not opposed to him but supported his authority. That, in the last resolution of events, was the test of his toleration.

That and his concern for "evangelical" Protestantism, of which he was now the acknowledged champion as Gustavus Adolphus had once been, was the mainspring of his policy at home and abroad. Mingled with this was concern for the interests of England abroad in commercial even more than political fields. On September 28 he seems to have instructed Thurloe to communicate to Nieupoort a plan for the settlement of the Baltic problem by an alliance between England, the United Provinces, Denmark and Brandenburg, thus omitting Sweden with which he had of late been so friendly.³¹¹ Her ambitions, he conceived, might be met by continental conquest, even to the point of having the Caspian Sea as her southern boundary. He was, in fact, confronted with a difficult problem. Desirous as he was of an alliance with Charles X, oblivious as he was to the ambitions of that prince, he could not ignore the fact that the closure of the Baltic by the Swedes would be a severe blow to English trade, as well as to that of the United Provinces. It was not the first time nor the last when his ideal of a Protestant alliance clashed with the realities of economic pressure. Whatever his suspicion of the Elector of Brandenburg on account of the Elector's relationship with the House of Orange and his support of Charles II, he perceived in the rivalry between Sweden and Brandenburg the possibility of combining Protestantism and pressure politics.

No such problem complicated his relations in western Europe. There his mission was clear, at least so far as Spain was concerned, though with France, which was also a Catholic power, it was not so evident. The Spanish situation was made more precarious by the Protector's refusal of an audience to the Spanish ambassador,³¹² while the Council discussed the reopening of the negotiations with Bordeaux.³¹³ It is, in fact, easy to exaggerate the influence of the so-called "Protestant Interest" in Cromwell's foreign policy. That it had its place there can be no doubt, but it never at any time seems to have been allowed to interfere with more worldly considerations, however much it was invoked when it did not conflict with them. It seems, in fact, as has been pointed out, not unlike the principle of "democracy" in our own time, which has been used, or

³¹⁰ *Clarke Papers*, iii, 53.

³¹¹ *Urkunden und Actenstücke*, vii, 713-4.

³¹² *Clarke Papers*, iii, 53.

³¹³ *Cal. S. P. Dom.* (1655), p. 355.

even abused, in the same fashion and with as much, or as little, consistency.

III. THE MAJOR-GENERALS' INSTRUCTIONS

A dictatorship like that of Oliver Cromwell has at once advantages and disadvantages in comparison with a legitimate monarchy. It is, indeed, threatened at all times with overthrow; it lives, as it were, in fear of its life; it enjoys only so much power and respect as it can compel. On the other hand it can do much that a legal and parliamentary government could not, or would not dare to do. It can levy heavier taxation. It can — indeed it must — maintain larger armed forces. It has a freer hand in foreign affairs than any system in which popular opinion plays a part. It can dominate any such legislative body as it sees fit to call, or it can dispense with such an assembly altogether. Once granted its first breach of law and constitution, all lesser infractions are of no consequence save in so far as they provoke rebellion which it is unable to suppress. It is, in fact, a law unto itself in a fashion no monarchy, especially no parliamentary monarchy, can afford to be, for such a monarchy represents in its way all the people, a dictatorship seldom, if ever, more than a minority. Whatever its pretensions, it is essentially partisan, not national, and therein lies both its strength and its weakness. Moreover a dictator stands more or less alone with his advisers. He has no long chain of classes and individuals between him and the masses. He can even afford to preach equality, for, granted his authority, all men are equal below him.

Nowhere is this situation more apparent than in the control of the organs of public opinion, and never more so than in England at this moment. Under the monarchy of Charles I there was, indeed, a control of the press exercised under the crown by the Star Chamber, by the Archbishop of Canterbury for religious, and by the Lord Chancellor for legal publications. To that supervision there was bitter opposition especially in the case of men like Prynne, Burton and Bastwick for the violence, not to say the scurrility, of their attacks on the bishops and on the royal family, especially the Queen. But the very fact that their abuse found publishers indicated the relative laxity of press regulation, and with the disappearance of the Star Chamber and the authority of monarchy and episcopacy there came an orgy of publication for and against the Parliament which, in spite of its regulations, was unable to check the flood of pamphleteering, even the most abusive attacks of the Royalists. With the rise of Cromwell, the fury of the pamphleteers of that party was turned against him. It reached its height during his absence in Ireland, but his return had seen the suppression of the most objectionable of the attacks and the punishment of their authors. The ingenuity of his opponents thereafter, however, continually evaded the censorship, and it was not until the late

summer and autumn of 1655 that his government finally took drastic measures to control the press, especially the news-books.

To the various parliamentary ordinances against unlicensed printing and the more stringent Treason Ordinance, there had been added in August, 1655, the appointment of three commissioners for regulating printing — Colonel Barkstead the Lieutenant of the Tower, Alderman John Dethick, and George Foxcroft. Now this first week of October saw the disappearance of the remnants of the more or less independent news-books, leaving only the *Mercurius Politicus* and the *Publick Intelligencer* to occupy the field. They were, in effect, the Thursday and Monday editions of the same paper, both edited by Marchamont Nedham under the direction of the secretary of the Council and head of the intelligence service, John Thurloe. This was the end of whatever freedom the press had enjoyed. During the remainder of the Protectorate the government wholly controlled the dissemination of news throughout the British Isles; and though it could not entirely crush the subterranean press which published the attacks on the Protector, especially from the pens of the more extreme sectaries, it exercised a censorship more stringent and more effective than the Star Chamber had ever known. Eleven years earlier John Milton had published his *Areopagitica, A Speech . . . for the Liberty of Unlicens'd Printing*. He had retired from his connection with *Mercurius Politicus* but he was still a leading champion of the government which suppressed that freedom for which he had once pleaded so eloquently, and which was now at an end.

This coincided with the continuing illness of the Protector. The Brandenburg agent, Schlezer, who apparently took much interest in this subject, reported that Cromwell suffered from a tumor or swelling on his chest, as well as a recurrence of an attack of the stone;³¹⁴ and it was probably due to this that though he was especially requested to be present at the Council meeting on the first Thursday in October, when the business of the fleet was to be considered,³¹⁵ he was absent from every meeting during that week.³¹⁶ That did not, however, wholly prevent him from attending to such business as was brought before him, for the articles of agreement between Monk and Lord Reay, and with the Earl of Selkirk were read in the Council and noted as having been approved by the Protector,³¹⁷ as part of the general policy of the pacification of Scotland, then being carried on by Monk. As part of that policy, the Scottish Council issued a declaration taking off all prohibitions as to the

³¹⁴ Schlezer's letters, for which I am indebted to Dr. T. C. Mendenhall of Yale University.

³¹⁵ *Cal. S. P. Dom.* (1655), p. 364.

³¹⁶ *Ibid.*, p. xxviii; *ibid.*, p. 372: approval of 16 orders, Sept. 25 to Oct. 5.

³¹⁷ Of May 18 and 19. *Ibid.*, pp. 361-2. Text in Firth, *Scotland and the Protectorate*, pp. 280-4.

election of magistrates, save that "no person be chosen who is dangerous to the Commonwealth, disaffected to the present government, or scandalous in life or conversation," which, in effect, disbarred from such office-holding probably much the greater part of the Scottish people.³¹⁸

Apart from this and from the usual details of administration,³¹⁹ the most important event of these early October days was the presentation by Lambert of a report concerning further instructions for the major-generals. This report which was offered on October 4 was adopted with slight amendments five days later.³²⁰ It has been suggested that Lambert is to be regarded as the author of this new police system, and that this began the "growing estrangement between Oliver and Lambert."³²¹ However that may be, it is obvious that the genesis of the plan lay in the appointment of Desborough earlier in the year as the result of the Penruddock rising, and it, in turn, may well go back to the still earlier county associations and committees of the civil war period. Whoever was responsible for the plan, it seems apparent that what may be called its "moral" or "social" elements were probably due to the Protector rather than to Lambert, who was less interested in religious than in political issues.

Both Cromwell and Lambert, like the Council in general, were concerned at this moment with the question of various opponents of the Protectorate. Some seventy-two prisoners were released on bond from Yarmouth, Lynn and London.³²² Biddle was ordered sent to the Scillies.³²³ Ludlow, who had come from Ireland, was a more difficult problem. His pass, issued by Fleetwood, had been countermanded from London, though the Dublin officials were apparently unaware of this. Corbet advised Ludlow to wait for Henry Cromwell's permission to leave Ireland, but Ludlow contented himself with a letter to Henry announcing his departure, to be delivered after he had left. In consequence, when Ludlow arrived at Beaumaris he was arrested by a Captain Shaw,³²⁴ though not, apparently, as Ludlow suggests, by order of the Protector and Council. None the less, after arresting him, Shaw went to London and got an order from the Protector to the governor of Beaumaris to the effect that "Whereas Lieutenant-General Ludlow

³¹⁸ *Pub. Intell.*, Oct. 1-8; listed in Crawford, ii, 351.

³¹⁹ Pet. of Thos. Browne, late agent at Tunis (*Cal. S. P. Dom.* (1655), p. 363); of Col. John Bingham, Gov. of Guernsey (*ibid.*, p. 362); of Lt.-Col. John Maher, gov. of Berwick, for allowance for his expenses for garrison (*ibid.*, p. 371); of merchants of London for cancellation of bonds of 1651, ref. May 14 (*ibid.*).

³²⁰ *Ibid.*, pp. 370, 373-74.

³²¹ Cp. Gardiner, *Comm. and Prot.*, iii, 324-26.

³²² Names in *Cal. S. P. Dom.* (1655), pp. 367-68, and in *Pub. Intell.*, Oct. 1-8; cp. also *Merc. Pol.*, Sept. 27-Oct. 3.

³²³ *Cal. S. P. Dom.* (1655), p. 372.

³²⁴ Thurloe, iv, 88.

was stoln out of Ireland, he should take care to keep him in strict and safe custody, and not to permit any to speak with him.”³²⁵

Other echoes of past events contributed to the business of these early October days. Dr. John Owen wrote again to the Protector to recommend “Serj.” Croke (the elder) for a judgeship.³²⁶ Colonel Buller, just returned from America with Venables, presented two papers for the Protector’s consideration, one of his own and one entitled “the humble desire of your Highness’s army in America,” both of which were referred by the Council to the Committee for Jamaica.³²⁷ The *Publick Intelligencer* noted that the Protestant cantons of Switzerland, having acknowledged the Protector’s zeal in the Piedmont affair, “admired by the whole world,” had passed a resolution to appeal to Cromwell and the States General for further assistance.³²⁸ And, finally, there appeared on October 4 the Protector’s declaration “against the royal family of Stuarts and the true worship of the Church of England,” as it was described — incorrectly — in its title, which marks the final, irrevocable breach with Stuart monarchy and episcopacy, if any such further formal statement were needed. Though so described, it was not actually a declaration against monarchy or episcopacy, though that the government seemed to feel its danger from Stuart supporters is indicated by this proclamation taken in connection with the appointment of the major-generals. It was not enough to deprive the Royalist Anglicans of any share in government; it seemed necessary to deprive them also of the comforts of their religious forms. For they were not only forbidden to have arms — which was natural enough — but chaplains or teachers of the Anglican persuasion for their children, or the services of an Anglican clergyman for baptism or marriage, though it may be noted that, consciously or unconsciously, the service for the dead was omitted save in so far as the use of the Prayer-Book was forbidden:

Declaration

The Protector’s Declaration against the Royal Family of the Stuarts, and the true Worship of the Church of England. Printed and published by his Highness’s special Commandment. London, printed by Henry Hills and John Field, Printers to his Highness.

His Highness the Lord Protector, upon Advice with his Council, finding it necessary, for the Reasons and upon the Grounds expressed in his late Declaration, to use all good Means to secure the Peace of the Nation, and prevent

³²⁵ Ludlow, *Memoirs*, i, 425–28. See also Thurloe, iv, 107–8.

³²⁶ Oct. 2, *ibid.*, pp. 65–6. Cp. *ibid.*, iii, 488 and W. Orme, *Memoirs of . . . John Owen* (1820), pp. 158–59, which says it was Unton Croke senior.

³²⁷ Cal. S. P. Dom. (1655), p. 364.

³²⁸ *Pub. Intell.*, Oct. 8–15, 22–29. Cp. *Perf. Diurn.*, Sept. 17–24 and White-locke, p. 629.

future Troubles within the same, hath thought fit to publish and declare, and by and with the Consent of his Council, doth publish, order, and declare, That no Person or Persons whatsoever, in England or Wales, whose Estates have been sequestered for Delinquency, or who were actually in Arms for the late King against the then Parliament, or for Charles Stuart his Son, or have adhered to, abetted, or assisted the Forces raised against the said Parliament, do, from and after the First Day of December, 1655, buy, use, or keep in his or their House, or Houses, or elsewhere, any Arms offensive, or defensive, upon Pain, that every Person and Persons, so offending, shall forfeit and lose such Arms, and be otherwise proceeded against, according to the Orders of his Highness and the Council, for securing the Peace of the Commonwealth. And his Highness, by the Advice of his Council, doth also publish, declare, and order, That no Person or Persons aforesaid do, from and after the First Day of January, 1655, keep in their Houses and Families, as Chaplains or Schoolmasters, for the Education of their Children, any sequestered or ejected Minister, Fellow of any College, or Schoolmaster, nor permit any of their Children to be taught by such, upon Pain of being proceeded against in such Sort, as the said Orders do direct in such Cases. And that no Person, who hath been sequestered or ejected out of any Benefice, College, or School for Delinquency or Scandal, shall, from and after the First Day of January, keep any School, either publick or private, nor any Person, who after that Time shall be ejected for the Causes aforesaid.

And that no Person, who, for Delinquency or Scandal, hath been sequestered or ejected, shall, from and after the First Day of January aforesaid, preach in any publick Place, or at any private Meeting of any other Persons than those of his own Family, nor shall administer Baptism, or the Lord's Supper, or marry any Persons, or use the Book of Common-Prayer, or the Forms of Prayer therein contained, upon Pain, that every Person, so offending in any of the Premisses, shall be proceeded against, as, by the said Orders, is provided and directed. And to the End all Persons concerned may take Notice hereof, and avoid the Danger of any of the said Penalties, his Highness doth charge and command all Sheriffs within their respective Counties, Cities, and Towns, to cause this Declaration to be proclaimed and published. Nevertheless, his Highness doth declare, that, towards such of the said Persons as have, since their Ejection or Sequestration, given, or shall hereafter give, a real Testimony of their Godliness and good Affection to the present Government, so much Tenderness shall be used, as may consist with the Safety and Good of this Nation. Given at Whitehall, this Fourth Day of October, 1655.³²⁹

The first week of October, 1655, was notable for another event of some political and even more spectacular interest. This was the reception of Sagredo as ambassador from Venice. The imminent breach with Spain gave his new capacity additional importance. He was met at Greenwich by the Master of Ceremonies, Fleming, with thirty gentlemen attendants. Thence the Venetian embassy and its reception committee proceeded to the Tower in ten state barges and were there met by five of the Protector's coaches with fifty more of other officials and gen-

³²⁹ Folio page. Repr. in *Harl. Misc.*, v (1745), 249.

tlemen. Two members of the Council came to pay their respects and to conduct Sagredo in the Protector's coach to Sir Abraham Williams' house in Palace Yard, which was apparently used for the entertainment of such distinguished visitors and had once been the residence of Bradshaw when he was President of the High Court of Justice. For each of the first three days, the Protector sent two councillors to dine with Sagredo, who was to have his public audience on the third day.³³⁰ It was, however, postponed because of another attack of the Protector's colic, and it was not until Tuesday the 9th that the new ambassador was brought to Whitehall in the Protectoral coach escorted by two councillors.

Sagredo was received, as he wrote, "in the great King's Hall, hung with rich arras and full of people," and there he and the Protector exchanged the usual formal compliments,³³¹ Sagredo assuring the Protector of the desire of Venice to increase friendly relations with the Commonwealth,³³² the Protector in turn promising that Sagredo should be treated on an equality with the ambassadors of the greatest sovereigns and expressing interest in the proposal to strengthen cordial relations. All this the acute Venetian described for his government and he did not fail to add his impression of the Protector at this moment. He was, Sagredo noted, "somewhat pulled [down?] in appearance with signs that his health is not stable and perfect. I noticed that as he stood uncovered the hand holding the hat trembled. For the rest he is 56 years of age, with a very scanty beard, of sanguine complexion, medium stature, robust, of martial presence. He has a deep and profound expression, wears a large sword at his side, is both soldier and orator and is skilled in both persuasion and action."³³³

Such was the Protector at this moment. Sagredo was, as usual, well-informed. Cromwell was obviously in bad health and apparently in low spirits at this crisis in his career. His signature, no less than the Venetian's observation, showed that his hand trembled. His utterances and his actions no less than his orders showed that he recognized the difficulties of the situation which his government faced, though the appearance of new envoys, like Schlezer from Brandenburg, Schaum from Transylvania, Bonde from Sweden and de Bye from Poland, besides the new dignity of Sagredo, indicated the Protector's increased and increasing stature in the affairs of the Continent. But the establishment of the system of major-generals indicated that all was not well at home. The news from the Western Design, despite the acquisition of Jamaica, was not encouraging; and even as Sagredo was being received, the Spanish ambassador, Cardenas, appealed to Thurloe for a farewell audience³³⁴ which

³³⁰ Sagredo to Doge, Oct. 5/15, *Cal. S. P. Ven.* (1655-6), p. 121; see also *Cal. S. P. Dom.* (1655), p. 363.

³³¹ Sagredo to Doge, Oct. 12/22, *Cal. S. P. Ven.* (1655-6), p. 124.

³³² Summary in *ibid.*, p. 124; cp. also *Merc. Pol.*, Oct. 9.

³³³ *Cal. S. P. Ven.* (1655-6), p. 124.

³³⁴ Oct. 9, Thurloe, iv, 72.

had already been postponed several times under various pretexts. Sagredo, indeed, reported that Cardenas had threatened to leave without a passport, in compliance with his instructions to go to Flanders, if an audience were denied him any longer.³³⁵ He was supplied with a passport on October 7, but he claimed it was not in proper form, so that a fortnight later the Protector sent him another with an order to leave within four days.³³⁶ It was apparent that, after so many provocations, the breach with Spain had come. The Council professed to see in this act of Cardenas a declaration of hostility and spent three days deliberating on the emergency it produced.³³⁷

They were, in fact, not quite ready for an open declaration of war. The winter was coming on; the strain on Blake's ships and crews by reason of his long stay and his operations against the Italian states and the Tunisian pirates had been too great for him to consider a winter campaign in the waters about Spain; and on October 9 he was back in England with his fleet.³³⁸ For the moment the blow against the Spanish Plate fleet, on which Cromwell had set his heart, seemed to have failed, and it would scarcely be possible to refit Blake's ships and send them out again before spring. None the less, in spite of the protests of the London merchants and the clothing manufacturers whose goods were exported to Spain,³³⁹ as the Protector had warned them earlier in March and again in April not to involve themselves in that quarter,³⁴⁰ he persisted and now advised them to send out privateers to recoup their losses by preying on Spanish commerce.³⁴¹ That advice, too, they ignored, and it was evident that though the Protector pressed forward in his anti-Spanish policy, he did not carry with him a large and important section of his supporters in the City. It was, then, of even greater importance to ensure peace at home and in the colonies, and to this he addressed himself, first with a letter in regard to the Virginia-Maryland boundary dispute, concerning which he wrote to Governor Digges of Virginia:

*For Our Trusty and Welbeloved Edward Digg: Esq., Governor
of Virginia*

SIR,

We have received yours of the 29th of June, 1654[5?] and do give this answer thereunto. That you have well resolved not to interest yourselves in the business which hath lately happened between the men of Severne and the

³³⁵ Sagredo to Doge, Oct. 12/22, *Cal. S. P. Ven.* (1655-6), p. 125.

³³⁶ Nieupoort to States General, Oct. 26/Nov. 5, Thurloe, iv, 115.

³³⁷ Sagredo to Doge, Oct. 12/22, *Cal. S. P. Ven.* (1655-6), p. 125.

³³⁸ Cp. Powell, *Blake*, p. 321, and *Dict. Nat. Biog.*, "Blake," also Corbett, *England in the Mediterranean*, i, 317.

³³⁹ Cardenas to Philip IV, *Simancas MSS.*, cited in Gardiner, *Comm. and Prot.*, iv, 171n. See Thurloe, iv, 135-7, 138, for two remonstrances, undated.

³⁴⁰ Cp. Gardiner, *Comm. and Prot.*, iv, 162.

³⁴¹ *Ibid.*, p. 171.

Lord Baltimore his officers in Maryland, it being no part of the meaning of our letter to you to intermeddle therein, or to obstruct what hath been done by the Commissioners for settling the civil government in that place, in pursuance of the late Council of State their instructions. But we having been informed that some trouble was like to ensue upon the difference which hath been for some time between the Plantation of Virginia and Maryland concerning their bounds, wherein both sides have appealed to us and our Council. We wrote our aforesaid letter to prevent the inconveniences which might fall out in that respect, requiring both parts to expect the determination of ourself and Council therein. And this we have thought fit to signify to you for your further satisfaction and rest,

8th Octob. 1655

OLIVER P.³⁴²

Ill as he seems to have been at this important juncture, the Protector was more than usually busy — and determined. He devoted himself to the Council³⁴³ which had to deal with various important measures, chief among them the matter of the long delayed instructions to the major-generals, the business of Jamaica and the financing of Blake's fleet. Every effort was made to suppress disaffection of all kinds. In reply to the plea of Feake and Rogers that their health was being affected by their imprisonment in Sandham Castle, they were not released, as they may have hoped, but transferred to another prison in the west of the Isle of Wight.³⁴⁴ This was accompanied by the approval of the order of the Protector and Council of August 28 against the printing of unlicensed and scandalous books and pamphlets and for regulating printing.³⁴⁵ Having taken such steps to ensure peace in these quarters, apparently at about the same time, that is to say October 9–11, there finally appeared the instructions and commissions to the major-generals, which are among the most important documents of the Protectorate. It seems evident from the contents of the commissions, instructions and bonds to be given to these officers by suspects, that their purpose was threefold. It was first to establish in each district of England an authority responsible directly to the Protector and Council for the peace and good behavior of his district; secondly to ensure, in so far as possible, the prevention of conspiracy against the government; and thirdly to enforce certain sumptuary or "moral" regulations not entirely unconnected with the keeping of the peace though not confined to that purpose. For, as the instructions

³⁴² Copy in *Rawl. MSS.* A 261, f. 55v. Though this is noted as a reply to a letter of June 29, 1654, it seems obviously a reply to Digges' letter of June 29, 1655 (*Thurloe*, iii, 596).

³⁴³ He attended the meetings on Tues., Wed. and Thurs., but not on Friday (*Cal. S. P. Dom.*, 1655, p. xxviii). Oct. 13 he approved six orders, Sept. 26 to Oct. 12 (*ibid.*, p. 382).

³⁴⁴ *Ibid.*, p. 374; and *Pub. Intell.*, Oct. 8–15.

³⁴⁵ Oct. 9, approval of order made Aug. 28 and appointing Barkstead etc. (*Cal. S. P. Dom.* (1655), p. 301).

point out, "treason and rebellion is usually hatched and contrived against the State" at "Horse races, Cock-fightings, Bear-baitings, Stage-plays," and, the Council might have added, but did not, at conventicles such as had been and were to be centers of disaffection in later years.

First in importance was the issue of instructions to the major-generals which had been long in the making:

Instructions to the Major-Generals

[22 August—10 October, 1655]

Whereas we have — by the advice of our Council, for the preservation of the peace of the Commonwealth, and the preventing, obviating, and breaking the designs of the enemies thereof, who are still restless and unwearied in their endeavours to beget new troubles, and to put the nation into blood and confusion — thought fit to commissionate several persons of honour and approved integrity to raise, enlist, and command . . . troops of horse.³⁴⁶ [We command that:]

1. They are to endeavor the suppressing all Tumults, Insurrections, Rebellion, or other unlawful Assemblies, which shall be within the said Counties, as also all Invasions from abroad, and to that purpose shall have power to draw together the said Forces or Troops, and march in such places as they shall judg convenient in England and Wales.
2. They are to take care and give order, That all Papists and others who have been in Armes against the Parliament, or assisted the late King, or his Son in the late Wars, as also all others who are dangerous to the peace of the Nation, be disarmed, and their Armes secured in some adjacent Garisons, or otherwise disposed of, as may be for the publick service.
3. And to the end that the Highways and Roads may be more safe for Travellers, and the many Robberies and Burglaries daily committed may be prevented, They, with the said Captains and Officers shall use their best endeavours to finde out all such Thieves, Robbers, Highway-men, and other dangerous persons as lurk and lye hid in any place within the severall Counties, and the houses and places which they frequent and usually lodg in, and take such course for the apprehending of them, and also for the prosecuting them and their Receivers, as is agreeable to Law. And they have hereby power to appoint such reward, not exceeding Ten pounds, to such person or persons as shall discover and apprehend any such Thief, Highway-man, or Robber, to be paid unto them after the conviction of the party so discovered and apprehended, which the Sheriff for the time being shall pay, and which shall according to an Act of Parliament, entitled, *An Act for the better and more Effectual discovery and prosecution of Thieves and Highway-men* [21 Oct., 1653], be allowed to him upon his accompt.
4. They are to have a strict eye upon the Conversation and Carriage of all Disaffected persons within the several Countys. And they shall give the like direction to all the said Captains and Officers at their Meetings, to be watchful and diligent in the same kinde: As also that no Horse-races, Cock-fightings,

³⁴⁶ Cp. Gardiner, *Comm. and Prot.*, iii, 319.

Bear-baitings, Stage-plays, or any unlawful Assemblies be suffered or permitted within their Counties. Forasmuch as Treason and Rebellion, is usually hatched and contrived against the State upon such occasions, and much Evil and Wick-edness committed.

5. They and the aforesaid Officers, shall labor to inform themselves of all such idle and loose people that are within their Counties, who have no visible way of Livelihood, nor Calling or imployment, and shall consider by what means they may be compelled to work, or be sent out of the Commonwealth: As also how the poor and impotent of those Counties may be employed, and better provided for then now they are, and certifie the same to us, and the Council, for our further Direction thereupon. And in the mean time, shall endeavor as far as in them lies, that the Laws in such cases, made and provided, be put in effectual Execution.

6. They shall in their constant Carriage and Conversation, encourage and promote Godliness and Virtue, and Discourage and Discountenance all Prophaneness and Ungodliness; and shall endeavor with the other Justices of the Peace, and other Ministers and Officers, who are intrusted with the care of those things that the Laws against Drunkenness, Blaspheming, and taking of the Name of God in vain, by swearing and cursing, Plays and Interludes, and prophaning the Lords day, and such like wickedness and abominations, be put in more effectual execution then they have been hitherto.

7. They shall take an exact accompt of what proceedings have been upon the Ordinance for Ejecting of Ignorant, Insufficient, and Scandalous Ministers and Schoolmasters, and take care that the same be effectually put in execution for the time to come, in all the Counties aforesaid; and that from time to time, they give an accompt to us and our Council.³⁴⁷

8. That all and every Master of a Family or Housholder, or other person comprehended within any the qualifications aforesaid, having Servants, shall also give security by his own bond, in such sum as the said Major Generals respectively within their charges shall think fit, with condition to the effect following, that is to say, The condition of this Obligation is such; That if all and every the person and persons; which now do or hereafter shall serve the said A.B. as menial Servants, shall well and peaceably behave themselvs towards his Highness the Lord Protector, and his Successors Lords Protectors of this Commonwealth, and towards all the good people of the same, while he and them shall continue in the service of the said A.B. and during that time, shall well and duely make his and their personal appearance (upon cunvenient notice left at the dwelling house, or other usual place of abode of him the said A.B. for that purpose) before C.D. Major General of the Counties of E.F. &c. or his Deputy, or such person or persons as the Maj.Gen. for the time being, or his Deputy, shall appoint; at such time and place, and as often as he or they shall direct. That then this present Obligation to be void.

9. That all and every the said Major Generals, and his and their Deputy shall keep a perfect List of all and every the person and persons within their respective charges, who shall give such security, and shall from time to time return the same to the Register, hereafter in and by these instructions appointed, together with the quality and places of abode.

³⁴⁷ *Merc. Pol.*, Dec. 20-27, 1655.

10. That one or more persons shall be appointed for the keeping of an office of Registry in the City of London, unto whom the several Major Generals, or their Deputies shall return such List, who shall forthwith enter the same Alphabetically into a Register Book or Books to be by him or them kept for that purpose, and as often as any person or persons, who shall have given such security as aforesaid, shall make his personal appearance before the said Register or his Deputy, shall enter the name of such person, together with the place whence he came; and the Parish, Street, and house where he intends to lodge, during his abode in London or Westminster, or the Suburbs thereof, and of the place to which he shall remove, as often as he shall so remove during his abode aforesaid. And upon notice that such person or persons intend to remove into the Countrey, then the said Register shall signifie unto the Major General of that County, or to his Deputy, the name of such person together with the place of his former abroad, and how long he hath been in London, and to what place he is removed, and in case the said Register shal find upon the personal appearance of such person, & the giving in his name, and the place from whence he came as aforesaid, that there is no person of that name returned to him in the list from the Major General of that Association, that then the said Register shall give notice to the Secretary of State of such person and his lodging.

11. That all and every person and persons, whether Forreigner or other, who shall from and after the first day of December 1655. come from beyond the Seas, to land in any Port or place of this Commonwealth, shall within twenty four hours, after such landing, personally appear before such person, as the Major General for the time being, or his Deputy, within their respective charges shall appoint in such port, and deliver in his and their name and names, together with the place from whence he or they came, and the place whether he or they intend to go (which shall be entred in a Book to be kept for that purpose) And shall also give a promise or ingagement to such person, that in case such person or persons shall come to the Cities of London and Westminster, or either of them, that then he and they shall within twenty four hours after his and their arrival thither, make his and their personal appearance before the Regester aforesaid, or his Deputy, and deliver unto him his and their true names, and of the places whence he or they came, and of the Parish, Street and House, where he and they respectively shall lodge, and of His and their business and if he be a Foreigner then of his correspondents there. And in case such person have been in Arms or been aiding and assisting in the late War against the Commonwealth, or hath before that time been banished, that then also he shall upon the change of his lodging or other removal, give the like notice, and in case any the persons aforesaid, shall fail in what is hereby required of him, and them respectively, then such person so failing therein, or that shall assume or take unto him or themselves any false, or counterfeit name, or shall not lodge at the Place he shall so assign, shall suffer imprisonment during the pleasure of his Highness or his Council. And to the end no person may be ignorant of the danger of his failing herein, the person and persons so engaging shall at the time of entring into such engagment be acquainted with this Order, a Copy whereof shall be set up in every Custome house, in all and every the Ports of this Commonwealth, and the members thereof.

12. That the person who shall be appointed to take the said Entry and En-

gagement, shall from time to time return unto the said Register, the name and names of all and every such person and persons so coming from beyond the Seas, which the said Register shall enter in a Book by it self, and shall also enter the appearance of every such person, when it shall happen, together with the place where he intends to lodge, during his abode in or about London, and if he come not to London, then the person so taking such entry, shall signify the same to the Major General, within whose charge the place to which such person shall intend to go, doth ly.

13. That as often any Inhabitant of the Cities of London and Westminster, or either of them, who shall have given security as aforesaid, shall intend to remove his habitation or change his place of abode, such person and persons do before such his removal, give notice thereof in his own person to the said Register or his Deputy, who is thereupon to enter his name tegether with the places whence and whether he is to remove, and shall by the next post signify the same to the Major General within whose charge the County whether such person intends to remove doth ly.

14. That for the beter ease of such persons as shall be obliged to make such apearance, and entry as aforesaid, the said Register shall have power to appoint several persons, as his Deputies, to reside in several places of the said Cities of London and Westminster, who shall have power to receive such appearances, and make such entries as aforesaid and from time to time to transmit the same to the chief office of the Registry, to the end one perfect Register may be there kept.³⁴⁸

15. That where any Robbery, Murther or other notorious breach of the Peace, shall be at any time committed, the Actor's whereof remain concealed, the persons prosecuting may apply themselves unto the Major General, within whose Charge the places where the same was committed, doth ly, or any other Major General, or to his Deputy, who upon notice thereof shall have power as well by summoning the persons within his charge, who do live dissolutely or without a calling, or at a higher rate, having no visible estate answerable thereunto, and have given bond, as aforesaid, if he shall see cause; as by the diligence of all Civil Officers, and other persons under his command according to their respective duties, in apprehending all suspected persons, who pass through, or ly lurking within any the places under his charge, to enquire and endeavour the finding out, and apprehending the Offenders. And if he see cause upon request of the parties prosecuting, shall send notice thereof to one or more of the Major Generals, or their Deputies, of the Neighbouring Association, who are to do the like, and in case that the persons prosecuting shall require it, the Register shall certifie the same unto such of the Major Generals, or their Deputies, as the parties desiring it shall think fit, for the better discovery and apprehension of the said Offenders.

16. That a more than ordinary regard be had to the securing of the Roads, chiefly about London.

17. That no house standing alone, and out of a Town be permitted to sell Ale, Beer or Wine, or to give entertainment, but that such licenses be called in, and suppressed.

18. That no person shall be permitted to ride Post without a special Warrant,

³⁴⁸ *Pub. Intell.*, Dec. 24-31, 1655.

nor any Horses laid to convey Passengers without notice thereof, first given to the next Justice of the Peace to the place where such Horses shall be so laid, and of the persons for whose use the same are laid. And that whatsoever Inne, Ale-house or Tavern, shall permit such Horses, to be so laid, and not discover the same before the person make use thereof, shall forfeit their License, and be suppressed, and not to have any licence regranted. And it is hereby forbidden to all persons whatsoever to cause any Horses to be laid for the conveyance of Passengers, without notice given to the next Justice of the Peace, as also of the names of the persons in whose houses, they are laid, or that make use of them, as they will answer the contrary at their perils.

19. And for the effecting more particularly a Reformation in the City of London and Westminster. That all Gaming Houses, and Houses of evil Fame, be industriously sought out, and suppressed within the Cities of London and Westminster, and the liberties thereof.

20. That all House Keepers within the same, who have no Trade or calling, or do not labour in such Trade or Calling, or have no other visible Estate, but are observed generally to lodge and harbour loose and dissolute persons, be bound to their good behaviour, and compelled to work, and for want of security be sent to Bridewell.

21. That all Ale-houses, Taverns and Victualling houses towards the skirts of the said Cities, or either of them; be suppressed, except such as are necessary and convenient to lodge Travellers, and that the Number of Alehouses in all other parts of the Town be abated, and none continued, but such as can lodge Strangers, and are of good repute.³⁴⁹

Of the commissions to the major-generals — which were probably more or less identical — only the one to Boteler seems to have survived, but it serves to indicate not only the duties of those officials but the spirit which animated their appointment:

³⁴⁹ *Merc. Pol.*, 27 Dec.-3 Jan., 1655. The numbering of the instructions follows *Parl. Hist.*, xx, 461-67. These instructions, which had begun to be drafted as early as August 22, and are usually ascribed to that date, were, in fact, only completed at this time, the Council having spent Tuesday in considering the final form, and the clauses as amended were approved by the Protector. (*Cal. S. P. Dom.*, 1655, pp. 373-74). A commission which had been drafted on Sept. 21 was now sent out to those individuals named on August 9 (*ibid.*, p. 275) with the following changes — Whalley to take Derby and lose Stafford; Worsley to take Stafford and lose Derby and Lancashire, to keep Chester as first ordered but lose Worcester; Berry to have Worcester and lose South Wales; Boteler's commission reads Bedford and not Berkshire as in Thurloe, Aug. 9. Berkshire went to Goffe (Thurloe, iv, 117; Nieupoort to States General, Oct. 24/Nov. 3). The final assignments were Kelsey, Kent and Surrey; Goffe, Sussex, Hampshire, Berkshire; Desborough, Gloucestershire, Wiltshire, Dorset, Somerset, Devon, Cornwall; Fleetwood, Oxfordshire, Bucks, Herts, Cambridgeshire, Isle of Ely, Essex, Norfolk, Suffolk; Skippon, London; Whalley, Lincolnshire, Nottinghamshire, Derby, Warwick, Leicester; Boteler, Northants, Bedford, Rutland, Huntingdonshire; Berry, Hereford, Shropshire, North Wales; Worsley, Cheshire, Lancashire, Stafford; Lambert, Yorkshire, Durham, Cumberland, Westmorland, Northumberland; Barkstead, Westminster and Middlesex. South Wales does not seem to be included.

Commission to Col. William Boteler to be Major General

OLIVER P.

Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereto belonging, To Colonel William Boteler.

Whereas the old malignant and popish enemies of this Commonwealth, after an Act of Oblivion, and many other graces and favours granted to them, have entered into a design and combination to involve this Nation in a new and bloody war, and had by their correspondencies with one another, and with other discontented parties and humors amongst ourselves, brought their wicked intentions to such maturity that a general insurrection and rebellion was by them resolved upon through the whole land, and in many places thereof executed; which if it had not pleased God in mercy to this poor Nation timely to suppress might have proved a long and bloody war to the destruction and desolation of the Commonwealth, especially considering that they had invited and engaged foreigners to invade us at the same time, contracting with them upon their success to deliver some of our Sea Towns and Forts into their hands and possession. And whereas We have certain intelligence that the said enemies, notwithstanding they have been through the goodness of God so wonderfully disappointed in their mischievous designs as aforesaid, are yet contriving new troubles in our bowels, influencing and working upon the several unquiet and distempered spirits amongst us whom, by their cunning practices, they act (although in different shapes and upon other pretenses) to their own ends, and purposes, to wit, the raising of new troubles and commotions, out of which they hope to work their own advantages; and are also using all manner of endeavours to stir up and engage foreign Princes to invade us. By all which it is evident that they are restless and implacable in their malicious designs against the peace of this Commonwealth, and will leave nothing unattempted to embroil us in war and confusion. And whereas We have upon these grounds been necessitated in this time of imminent danger for the safety of the Commonwealth as well against foreign invasions as home-bred insurrections and rebellions to raise a Militia of Horse of the well-affected in the several counties of England and Wales, and particularly in the Counties of Northampton, Huntington, Rutland, and Bedford.

And there being a necessity to appoint a Commander-in-Chief over the Forces aforesaid and such others as shall be raised or assigned to be in those Counties, who may lead, discipline, and conduct them as there shall be occasion for the good and safety of the Nation. And we, reposing entire trust and confidence in your approved fidelity, wisdom and circumspection, have by and with the advice of Our Council assigned, made, constituted, and ordained, and by these presents do assign, make, constitute and ordain you to be Major General and Commander-in-Chief within the said Counties of Northampton, Huntington, Rutland and Bedford and all corporate and privilege places within the limits and precincts of the same, as well within Liberties as without; and do by these presents give full power and authority unto you to take into your charge, and to train, exercise, command, and keep in good discipline the said Militia Forces, and such others as shall be raised or assigned to you within the said Counties; And also to conduct and lead them against all and singular

enemies, rebels, traitors, and other offenders and their adherents against Us, and this Commonwealth. And with the said traitors, enemies, and rebels to fight, and them to invade, resist, repress and subdue, slay, kill, and put to execution of death by all ways and means according to your good discretion. And further We do hereby by the advice aforesaid give unto you full power and authority in case of invasion or rebellion to levy, gather and call together all persons meet and apt for the war, dwelling and inhabiting within the said several Counties as well within Liberties as without; And them to train, exercise, and put in a readiness, and to cause them to be armed and weaponed, and to take the muster of them in places most convenient, and to lead and conduct them for the purposes before expressed. And further We give unto you full power and authority that in case of any invasion of enemies, insurrection, rebellion, riots, routs, or unlawful assemblies, or any other like offenses shall happen to be moved within England or Wales without the limits of this our Commission, That then as often as need shall require, or as you shall be directed from Us you with such power as already raised, or to be levied within the limits as you shall judge meet, or as shall be directed from Us, shall repair to the place where any such invasion, rebellion, or unlawful assembly shall happen to be made, to subdue, repress, and reform the same by battle or other kind of force, or otherwise according to your best skill and power.

Wherefore, We will and command you that with all diligence you do execute the premises with effect. And We will and command all officers and soldiers herein concerned, and also all and singular Our Justices of the Peace, Mayors, Sheriffs, Bailiffs, Constables, Headboroughs, and all other our officers, ministers, and others whatsoever within the said several counties, and in all corporate and privilege places to whom it shall appertain, That they, and every of them, from time to time shall be attending, aiding, assisting, counseling, helping, and at the commandment of you in the execution hereof, as they, and every of them will answer the contrary at their utmost peril. And furthermore You are to observe, execute, and perform the Orders, and Instructions herewith delivered unto you and such others as you shall from time to time receive from Us. Given at Whitehall under Our Sign Manual and Privy Signet the eleventh day of October One thousand, six hundred and fifty and five.³⁵⁰

To these were added, finally, the form of bond drawn up August 22 and now made part of the instructions, as of the eighth article:

The Bond to be entred into before the Maior-generals being of concernment, is here again reprinted, . . . It being one of the Orders and instructions which are to be observed and put in execution by the Majorgenerals of the severall Counties, viz.

that they shall cause all and every person and persons within their respective charges, who hath born Arms against the Commonwealth, or that doth live dissolutely, or without a calling, or at a high rate, having no visible estate

³⁵⁰ Parchment signed original in *Record Office, Interr. 27 Box D, no. 10*; pr. in part in *Cal. S. P. Dom. (1655)*, p. 379. Cromwell's order to Fleetwood, Feb. 13, 1655-6, mentions his commission dated October 11. See *infra*. It may be supposed that the other commissions to Major Generals bore the same date.

answerable thereto, to give bond with two Sureties, in such sum as the said Major Generals respectively shall thing [sic!] fit (with respect unto the quality of the person) to the use of his Highness the Lord Protector, with condition to the effect following, viz. The condition of this obligation is such, That if the above bounden A.B. shall from henceforth well and peaceably demean himself towards his Highness the Lord Protector and his Successors, Lord Protectors of this Commonwealth, and towards all the good people of the same, and shall not Plot, contrive or act, or cause or consent unto, to be plotted, contrived or acted any thing against the person of his Highness the Lord Protector, or the peace of this Commonwealth. And in case the said A.B. do, or shall know, or have any certain intelligence of any plot or conspiracy, contrived, or to be contrived, by any person or persons whatsoever, against the person of his Highness, or to the prejudice of the present Government, that then if the said A.B. shall immediately reveal and make known the same to his Highness and Council, or any of them, or to the Major General of the County of [] or his Deputy, or any two or more Justices of the Peace, and if the said A.B. shall at all times upon convenient notice to be left at the dwelling-house or usual place of the said A.B. in the Parish of F. in the County of [] make his personal appearance before C.D. Major-General of the Counties of E.F. &c. or such other person and persons as shall be constituted Major-General of the said Counties, or his and their Deputy and Deputies, or such person as the Major General for the time being, or his Deputy shall appoint, at such time and place, and as often as he or they shall direct, and also in case the said A.B. shall change his habitation, that then if the said A.B. shall before such change, leave with the said Major General for the time being, or his Deputy, or such person as shall be authorized thereunto, the name of the place whether the said A.B. shall so remove; and if he shall repair to the Cities of London and Westminster, or either of them, or late lines of Communication, then if the said A.B. shall within twenty four hours after his arrival thither, make his personal appearance before the Register apointed for the Entry of the names of such persons, and give him his true name, together with the name of the Parish, Street and House, where he the said A.B. shall lodge, and shall lodge at such place, and no other, nor remove his lodging from thence, untill he hath in person, given the like notice of such removal to the said Register, of the place to which he shall so remove, either in the said Cities, or either of them, or late lines of communication, or into any other place; and if he the said A.B. shall not at any time take upon him any false or feigned name, That then this present Obligation to be void.³⁵¹

³⁵¹ *Merc. Pol.*, Dec. 13-20, 1655; *Pub. Intell.*, Dec. 10-17, 1655.

CHAPTER XVII

THE WAR WITH SPAIN

After long and complicated negotiations and an infinity of administrative details, the situation of England under the Protectorate had now begun to become clear as to its main outlines. The organization of the country was on the way; the relations with Holland and Sweden were defined, with the position of the Protector with regard to Continental Protestants, though Dury was still busy among the German states. English sea-power had become an active element in European affairs, and its master a power to be reckoned with in all quarters of the world. The British Isles were, it may be said, under his feet; France was being conciliated; European war with Spain was obviously approaching; but before it broke out one thing remained to be attended to. This was the new possession of Jamaica. Penn and Venables were now safely in the Tower and the Protector turned to Penn's second in command, Goodson; Venables' successor, Fortescue; Searle, the governor of Barbados; and Major Sedgwick, the New Englander who had distinguished himself in Acadia and had been sent with reinforcements for the Western Design, to form a commission to administer affairs in the West Indies. First issuing another proclamation to encourage settlement in Jamaica, he framed instructions to Fortescue as commander of the army and to Goodson of the navy there, with general instructions to the commissioners, and personal letters to Fortescue, Goodson and Searle. Despite the differences in their contents, the tenor of all these documents, except the last, was essentially the same. The Commissioners were directed to make the English occupation as secure as possible; to attack the Spaniards wherever they could by land and sea, both in Jamaica and elsewhere; to make terms with those who would submit to English rule; to encourage settlement; and to keep the home government fully advised of all events in that quarter of the world. In pursuance of this policy he promised aid to repel Spanish efforts to regain the island, which he confidently expected:

Proclamation of Oliver, Lord Protector, giving encouragement to such as shall transport themselves to Jamaica.

Whereas the Island of Jamaica is, by the providence of God, in the possession of this State, and the enemy found upon it fled into the mountains with intention to escape, save such as daily render themselves to our Commander-in-Chief; and we being satisfied of its fertility and commodiousness for trade,

have resolved to use our best endeavours to secure and plant the same, and to this end make known, especially to the people of the English Islands and Colonies, the encouragements we have thought fit to give to those who shall remove themselves and their habitations thither within the time herein expressed. And first concerning security against the enemy, above 6,000 soldiers were landed there in May last, and in July a regiment of 800 men drawn out of our old regiments in England, with eight ships of war added to twelve others left there by General Penn under the command of Capt. Wm. Goodson, and we shall take care to send both land and sea forces to secure the island against any attempt of the enemy. Those who remove thither will be under the immediate protection of this State, and so eased both of the danger and charge which other plantations are subject to. They shall have twenty acres of land, besides lakes and rivers, for every male twelve years old and upwards, and ten acres for every other male or female, to be set forth to them after six weeks notice of their remove. To have liberty for seven years to hunt and dispose of horses and cattle upon the island not marked by or belonging to other planters, subject to certain rules. To hold said land with houses, woods, &c., to them and their heirs forever in free and common socage for seven years, and then to pay one penny an acre, but no other rent, tenure, or service whatsoever. Said lands, on desire of the owners, to be confirmed by Letters Patent unto them, their heirs and assigns. To hold and enjoy all mines except of gold and silver, and all fishings within their bounds upon paying one-fifth part of pearls or precious stones, and one-tenth part of all metals in mines. No custom, excise or duty to be paid for three years from 29 Sept. 1656, and not to be drawn into the wars themselves or their servants, unless in case of invasion or rebellion and for defence of the island. Power to build walls, bulwarks, and castles upon their own land for security of their plantations, and to arm themselves and servants against enemies or rebels under the directions of the Commander-in-Chief. All born within said island to be accounted free denizens of England, and to enjoy all the privileges as any natives of England. All transporting themselves within two years from 29 Sept. 1656, and professing the Protestant religion, to enjoy said privileges and advantages. And for the more certain carrying on this business our Commander-in-Chief of said island is authorized and required to take notice of the premises, and cause a due and effectual execution of same to the purport and true meaning hereof.¹

[c. Oct. 10, 1655]

*Instructions to Richard Fortescue, Major-General
of the Forces in America.*

To apply himself to the making of forts and fortifications in fit places to secure the island against any attempt of the enemy, particularly to strongly fortify the harbour of St. Jago, where the fleet first arrived. To take care that the soldiers who have lands for plantation be not severed too far asunder, but to be in a capacity to unite their strength as there shall be occasion. To inform himself of all harbours and landing places upon the island, and take care that

¹ *Cal. S. P. Col.* (1675-6), pp. 97-8, from *S. P. Dom. Interr.* I, 76a, pp. 152-4. For another proclamation relating to Jamaica, see *supra* [Sept. 1, 1655].

soldiers and others shall have land next adjoining such harbours and landing places, and be engaged in making defensive fortifications therein, especially within fifteen miles of St. Jago, which he shall endeavour to be well peopled and fortified at the State's charge, if he cannot get it done upon the account of particular planters. And until such places can be peopled and planted to take care that works be made to prevent the landing of the enemy. And although we do not understand your condition so perfectly as to the number and health of the soldiers or otherwise as to enjoin you by any positive commands to attempt further upon the enemy, yet considering the supplies both of men and provisions sent you beginning of July last with Major Robt. Sedgwick, we give you powers and instructions to be made use of according to your strength and opportunity, not doubting but you are sensible of the state of our present affairs in those parts, and how much it imports us and this nation that there be diligence and activity in those who have the managing of them. Power and authority to land his men upon territories claimed by the Spaniards, to take their forts, castles, and places of strength, and to pursue, kill, and destroy all who oppose them; Vice-Admiral Goodson to assist him with the sea forces, and that they both advise and consult together for the better carrying on the affairs committed to them, "The want whereof and of that union of hearts and councils which ought to be amongst persons so trusted hath been the occasion, amongst other things, of great miscarriages in this work." Power to offer reasonable conditions to any who will submit to our government, and to treat for the surrender of any fort or place for our use, with advice of said Commissioners. To give frequent account of his proceedings. Whereas all particulars cannot be foreseen, nor positive instructions given for emergencies, therefore on all accidents to use his best circumspection, and so dispose of the forces under his command that the Commonwealth receive no detriment.² [Oct. 10, 1655]

*Instructions to Capt. Wm. Goodson, Commander of the
Squadron of ships in America.*

To use his best endeavours by all opportunities to seize all ships belonging to the King of Spain or his subjects in America, or of any other enemies or rebels to this Commonwealth, with their goods and monies, and in case of resistance to sink, burn, and destroy them. All seizures thus made to be preserved without embezzlement and delivered to his Highness's Commissioners, who, with a trusty person appointed by himself, is to set a due valuation upon them; and that he take a receipt for same that the seamen be satisfied how much to expect from the State for their shares. To seize all ships trading contrary to the Act of Parliament of 3 Oct. 1650. To preserve the honour, jurisdiction, territories, and people of this Commonwealth. To take care that all instructions as to matter of discipline and well ordering of the fleet be put in execution. Power, with consent of a Council of War, to suspend officers under his command, and give commissions for places vacant by death or otherwise. To wear the jack flag at the maintopmast head. To give frequent notice of his proceedings to the Commissioners of the Admiralty and Generals of the Fleet, and receive

² Summary in *Cal. S. P. Col.* (1675-6), pp. 98-9, from *S. P. Dom. Interreg.* I, 76a, pp. 154-5.

directions from them. To supply and succour the Army to the best of his power upon all occasions. To join with the land forces in any attempt made in pursuance of instructions given to Maj.-General Fortescue,³ who will also afford him assistance, and that upon all occasions they consult together, as also with the Commissioners and other concerned touching the carrying on of our affairs both at land and sea in those parts, and to use his best endeavours to maintain love and a good understanding, Authority to land men upon any of the possessions of the King of Spain in America, or other enemies or rebels to us and this Commonwealth; to seize their places of strength and ships, and use all other acts of hostility. To use his best endeavours to gain intelligence from places in possession of the enemy, to communicate same to Maj. Gen. Fortescue and the Commissioners, and to consult together how it may be improved to the best advantage. Power to arrest and use any ships to whomsoever belonging he finds necessary for said services, giving them reasonable satisfaction. To give frequent intelligence of his proceedings so that he may receive further directions if there shall be occasion. To use his best endeavours to get provisions for the fleet from Jamaica and those parts, and to supply himself from New England or other places and charge bills for same upon the Treasurer of the Navy in England.⁴ [c. Oct. 10, 1655]

*Instructions unto major general Fortescue, vice-admiral Goodsonn,
major Robert Sedgwick and Daniel Serle.*

Whereas we by our commission under the broad seal of England, dated the 9th day of December 1654, did constitute and appoint general Robert Venables, general William Penn, Edward Winslow, Daniel Serle, and Gregorie Butler, to be our commissioners for the ordering, managing, and governing our affairs in the West Indies, according to the instructions we then delivered unto them, and such others as they should from time to time receive from us. And whereas the said Edward Winslow is since departed this life, and the said general Venables, general Penn, and Gregory Butler are returned home, whereby our service there cannot be carried on without an appointment of other persons in their room for executing the powers and authorities they were intrusted with, and such others as shall be necessary to be given on that behalf: And we reposing trust and confidence in the ability, faithfulness, and circumspection of you major general Richard Fortescue, vice-admiral Goodsonn, Daniel Serle, major Robert Sedgwick, have constituted and appointed, and do hereby constitute and appoint you to be our commissioners for managing, ordering and governing our other armie, and do therefore hereby require and authorize you or any two of you to put in execution the following instructions.

1. You, the said Richard Fortescue and William Goodsonn, shall assist each other in the execution of each other's instructions, according to the purpose therof; and you the said Daniel Serle, Robert Sedgwick shall from time to time advise, aid, and assist them the said Fortescue and Goodsonn, and either of them in the execution and discharge of their trusts, according to the tenor

³ See below, pp. 874-5.

⁴ Summary in *Cal. S. P. Col.* (1675-6), pp. 99-100, from *S. P. Dom. Interreg.* I, 76a, pp. 155-7.

of their respective instructions, which they are to communicate to you, and shall use your best endeavours for the promoting of the matters and things therein contained.

And whereas it hath pleased God since the sending of our forces into the West Indies, to put into the possession of this state the Island of Jamaica, which being fertile in its self, and commodious for navigation and commerce, we have resolved to use all possible endeavours, by the assistance of God, to people and plant with all convenient speed, and have to that purpose dispatch'd into New England mr. Daniel Gookin instructed to make propositions to such colonies and others there, who may be inclined to remove to this place, (a copy of which instructions are herewith sent unto you) you shall therefore as any addresses shall be made unto you either from the said mr. Daniel Gookin, or such of those people as shall upon the aforesaid propositions transplant themselves into this island, or others on their behalf, cause the agreements to be made with them, as they shall be certified to you by the said mr. Gookin, to be put into effectual execution without delay, and all other encouragement given to them, according to the meaning and intent of the aforesaid instructions.

Whereas we have publish'd and made known unto the governors and people of the English islands and plantations in America, such terms and conditions, as shall be granted to those, who shall remove from thence to this island; and have also by patent under the great seal granted to Martin Noell, merchant of London, twenty thousand acres of land parcel of the said island, with several privileges to be enjoyed by him, his heirs and assigns, copies whereof are herewith sent unto you; you are hereby authorized and required, to cause the same to be executed and observed on our part in all things according to the true meaning and purport of them respectively, and to see what is to be done on their part be likewise performed.

You are hereby authorized to admit any other of the people of this commonwealth, or the dominions thereof, who are protestants, to inhabit, and plant upon any part of the said island, where you shall think convenient to allot them, upon the terms and conditions granted to the said mr. Noell; and accordingly to assign and set forth land and allow to them the like advantages in all things, and what you shall do herein pursuant to these instructions we shall ratify and confirm.

You shall cause the terms and conditions to be published and proclaimed in the islands and plantations of the English in America, and use such other means as you shall find necessary for inciting people to come and plant upon this place.

You shall take a view or otherwise inform yourself of all such harbors and landing-places, as are upon the island, especially the windward of St. Jago; and shall take care that those, as well soldiers as others, who shall become planters, may have their land set forth next adjoining to such harbours and landing places, and be likewise engaged to make some defensible fortifications thereupon, especially in such harbours or landing-places, as are within 15 miles or less of St. Jago; which you shall endeavour to be well peopled, and also to be fortified at the states charges, if you cannot get it done upon the account of particular plantations.

Whereas those, who shall transport themselves to Jamaica upon the terms granted by his highness in that behalf, are in their hunting and taking of horses

and other beasts for the space of 7 years out of their own bounds and limits, to be subject to such rules and directions, as shall from time to time be made by the persons authorized by his highness for managing the affair of the said island; you are hereby authorized and required, to give such rules and directions from time to time concerning the killing of cattle, as that the stock and breed of cattle be not destroyed thereby; which we are informed will be done in a very short time by the great numbers, which are yearly killed for their hides and grass; the preventing whereof we particularly reserve to your special care, and that you make timely provision therein.

You are hereby authorized and required to take care, that the stores and provisions sent from hence, or otherwise provided for the forces at land and sea, be justly and equally distributed. And you shall use your endeavours from time to time to provide the fleet with flesh and such other necessaries, as may be had from the island of Jamaica.⁵

[c. 10-30 Oct. 1655.]

To Major-General Fortescue, [at Jamaica]

SIR,

You will herewith receive Instructions for the better carrying-on of your business, which is not of small account here, although our discouragements have been many; for which we desire to humble ourselves before the Lord, who hath very sorely chastened us. I do commend, in the midst of others' miscarriages, your constancy and faithfulness to your trust in remaining where you are, and taking care of a company of poor sheep left by their shepherd: and be assured that, as that which you have done hath been good in itself, and becoming an honest man, so it hath a very good savour here with all good Christians and all true Englishmen, and will not be forgotten by me as opportunity shall serve.

I hope you have long before this time received that good supply which went from hence in July last, whereby you will perceive that you have not been forgotten here. I hope also the ships sent for New England are, before this time, with you: — and let me tell you, as an encouragement to you and those with you to improve your utmost diligence, and to excite your courage in this business, though not to occasion any negligence in prosecuting that affair, nor to give occasion to slacken any improvement of what the place may afford, that you will be followed with what necessary supplies, as well for your comfortable subsistence as for your security against the Spaniard, this place may afford, or you want.

And therefore study first your security by fortifying: and although you have not moneys, for the present, to do it in such quantities as were to be wished, yet, your case being as that of a marching army, wherein every soldier, out of principles of nature, and according to the practice of all discipline, ought to be at the pains to secure the common quarters, — we hope no man amongst you will be so wanting to himself, considering food is provided for you, as not to be willing to help to the uttermost therein. And therefore I require you

⁵ Thurloe, iv, 634-5, under March, 1655-6. Summary in *Cal. S. P. Col.* (1675-6), pp. 100-1, from *S. P. Dom. Interreg.* I, 76a, pp. 168-71.

and all with you, for the safety of the whole, that this be made your most principal intention. The doing of this will require that you be very careful not to scatter, till you have begun a security in some one place. Next I desire you that you would consider how to form such a body of good Horse as may, if the Spaniard shall attempt upon you at the next coming into the Indies with his galeons, be in a readiness to march to hinder his landing; 'who' will hardly land upon a body of horse; and if he shall land, be in a posture to keep the provisions of the country from him, or him from his provisions, if he shall endeavour to march towards you.

[We trust we shall furnish you with bridles, saddles and horse-shoes, and other things necessary for that work, desiring you to improve to the utmost what you have already of those sorts. Should it be known that you had five hundred horse well appointed, ready to march upon all occasions in that island, even that alone might deter the Spaniard from attempting anything upon you.]

We have sent a Commissioner and Instructions into New England, to try what people may be drawn thence. We have done the like to the Windward English Islands; and both in England and Scotland and Ireland, you will have what men and women we can well transport.

We think, and it is much designed amongst us, to strive with the Spaniard for the mastery of all those seas: and therefore we could heartily wish that the Island of Providence were in our hands again; believing that it lies so advantageously in reference to the Main, and especially for the hindrance of the Peru trade and Cartagena, that you would not only have great advantage thereby of intelligence and surprise, but even block up Cartagena. It is discoursed here that, if the Spaniard do attempt 'upon' you, it is most likely it will be on the East end of the Island, towards Cuba; as also that Cuba, [upon Cuba,] is a place easily attempted, and hath in it a very rich copper-mine. It would be good, for the first, as you have opportunity, to inform yourself, and if there be need, to make a good work thereupon, to prevent them. And for the other, and all things of that kind, we must leave them to your judgment upon the place, to do therein as you shall see cause.

To conclude: As we have cause to be humbled for the reproof God gave us at St. Domingo, upon the account of our own sins as well as others', so, truly, upon the reports brought hither to us of the extreme avarice, pride and confidence, disorders and debauchedness, profaneness and wickedness, commonly practised in that Army, we cannot only bewail the same, but desire that all with you may do so, and that a very special regard may be had so to govern, for time to come, as that all manner of vice may be thoroughly discountenanced, and severely punished; and that such a frame of government may be exercised that virtue and godliness may receive due encouragement.

'I rest,

'Your loving friend,

Whitehall, Oct. [10-30[?]], 1655.

'OLIVER P.⁶

⁶ Lomas-Carlyle, CCVI, from Thurloe, iv, 633, repr. from Thurloe's draft in the Bodleian by Mrs. Lomas. Carlyle dated it in Nov., incorrectly. Carlyle altered the ref. to Cuba but it is pr. here as it stood, and Mrs. Lomas conjectures, probably correctly, that it was a mistake for St. Iago de Cuba, and refers to the Generals' reply in Thurloe, iv, 457, to substantiate her suggestion.

To Vice-Admiral Goodson, at Jamaica

SIR,

I have written to Major-General Fortescue divers advertisements of our purpose and resolution, the Lord assisting, to prosecute this business; and you shall neither want bodies of men nor yet anything in our power for the carrying-on of your work. I have also given divers hints unto him of things which may probably be attempted, and should be very diligently looked after by you both, but are left to your better judgments upon the place; wherein I desire you would consult together how to prosecute your affairs with that brotherly kindness that upon no colour whatsoever any divisions and distractions should be amongst you, but that you may have one shoulder for the work; which will be very pleasing to the Lord, and not unnecessary, considering what an enemy you are like to have to deal withal.

We hope that you have, with some of those ships which came last, near twenty men-of-war; which I desire you to keep equipt, and to make yourselves as strong as you can to beat the Spaniard, who will doubtless send a good force into the Indies. I hope, by this time the Lord may have blessed you to have light upon some of their vessels, whether by burning them in their harbours or otherwise. And it will be worthy of you to improve your strength, what you can, both to weaken them by parcels, and to engage them as you have opportunity, which, at such a distance I may probably guess, would be best [managed] by not suffering, if you can help it, the new Fleet, which comes from Spain, to go unfought, before they join with the ships that are to the leeward of you.

We are sending to you, with all possible speed, seven more stout men-of-war, some of them of forty guns, and the rest none under thirty, for your assistance. This ship⁷ is sent before, with instructions, to encourage you to go on with the work; as also with instructions to Nevis, and the other Windward Islands, to bring so many of the Plantations off as are free to come, [that they may settle with you at Jamaica.] And I desire you, with your lesser merchant-ships or such others as you can spare, to give them all possible assistance for their removal and transplantation, from time to time, as also all due encouragement to remove.

You will see by the enclosed what I have writ to Major-General Fortescue. And I hope your counsels will centre in that which may be for the glory of God and good of this nation. It is not to be denied but the Lord hath greatly humbled us in that sad loss sustained at Hispaniola; no doubt but we have provoked the Lord, and it is good for us to know so, and to be abased for the same. But yet certainly His name is concerned in this work; and therefore though we should, and we hope we do, lay our mouths in the dust, yet He would not have us despond, but I trust gives us leave to make mention of His name and of His righteousness, when we cannot make mention of our own. You are left there; and I pray you set up your banners in the name of Christ, for undoubtedly it is His cause. And let the reproach and shame that hath been for our sins, and through (also may we say) the misguidance of some, work up your hearts to a confidence in the Lord, and for the redemption of His honour from the hands

⁷ The Marston Moor.

of men who attribute their successes to their Idols, the work of their own hands. And though He hath torn us, yet He will heal us; though He hath smitten us, yet He will bind us up; after two days He will revive us, in the third day He will raise us up, and we shall live in His sight. The Lord Himself hath a controversy with your Enemies, even with that Roman Babylon, of which the Spaniard is the great underpropper. In that respect you fight the Lord's battles; and in this the Scriptures are most plain. The Lord therefore strengthen you with faith, and cleanse you from all evil: and doubt not but He is able, and I trust as willing, to give you as signal successes as He gave your enemies against you. Only the Covenant-fear of the Lord be upon you.

If we send you not by this, yet I trust we shall by the next, our Declaration setting forth the justness of this war.

I remain,

Your loving friend,

Whitehall [30] Oct. 1655.

OLIVER P.⁸

No letters concerning this business to Sedgwick or Searle seem to have survived, and the Protector's letter to the latter is of wholly different nature:

*To our Trusty and Welbeloved Daniel Searle, Esquire,
Governor of Our Island of Barbadoes*

Trusty and Welbeloved we greet you well,

Whereas we are given to understand that one Archibald Hay, late of Martins in the Fields in our county of Middlesex, deceased, did upon an obligation under his hand, and seal, owe unto John Dickson of the same place and county, Chirurgeon, the sum of seven hundred pounds, which the said Archibald Hay unjustly detaining, a suit was commenced against him by the said John Dixon, and a judgment obtained for the same in our Court of Upper Bench at Westminster. And forasmuch as we are also informed that the said Archibald Hay died possessed of a considerable plantation in our Island of Barbados, and (which being all the estate he had) he by will bequeathed (without making any provision for satisfying the said debt or any part thereof) unto one Archibald Parrie his nephew, who also dying hath left the same to his brother Richard Parrie. And the said John Dixon having humbly besought us for recommendation of the business to you and we judging it very fit that he should have all just satisfaction, according to the aforesaid judgment (a copy whereof is enclosed) out of the estate aforesaid, now in the possession of the said Richard Parrie, or of any other person whatsoever, as the heir or executor of the said Archibald. We do therefore hereby specially refer the same to your care, wherein our pleasure is that you well weigh and consider the whole matter, and so that without delay and further trouble right be done him according to law, returning to us a speedy account of what you shall

⁸ Lomas-Carlyle, CCIV, from Thurloe, iv, 130-31; repr. from Thurloe's Ms. copy in Bodleian. Letter dated by Goodson's despatch of Apr. 13 (Thurloe, iv, 694) noting Protector's letters of Oct. 30 received by Marston Moor. Cp. Goodson and Sedgwick's letter of Jan. 24 (*ibid.*, p. 455). [Mrs. Lomas' notes].

do in the premisses. And so we bid you farewell. From Whitehall the 11th of October, 1655.

OLIVER P.⁹

These, which form, with the instructions to the major-generals, probably the largest number of documents ever written or signed by Cromwell at any one time, coincided more or less with what may be called the high-water mark of his dictatorship. The appointment of the major-generals; the completion of his control of the press; the organization of his conquests in the West Indies; and finally the approaching open breach with Spain, combined with the presence of envoys from virtually every considerable power on the Continent, testified to his authority at home and his recognition abroad. Yet in that very fact there was something disturbing. When one reaches the summit, he must maintain himself there or go down, and the summit is a slippery position. Cromwell had, indeed, achieved the "supreme authority" in the British Isles; on the Continent he aspired to something of the position Gustavus Adolphus had reached earlier as the champion of European Protestantism. He matched himself against what he conceived to be the heads of Roman Catholicism, the Pope, the Emperor and the King of Spain as well as against the lesser powers of the Italian peninsula. He was about to challenge the Spanish power openly in Europe as he had already attacked it in America. At the meeting of the Council on October 15, it was reported that influential voices in the Council, perhaps Lambert's among them, protested against this venture, but they were overborne by the Protector's determination.¹⁰ Cardenas was about to leave and with his going all hopes of accommodation disappeared, if any such hopes had been entertained.

Yet in a sense the Protector was entering on a struggle which was already over. He was harking back to the days of Elizabeth, not looking forward to the days of Anne. Spain was the setting, France the rising star; and in joining the latter against the former, as in effect he did, he was laying the foundations for future difficulties for his country. It may be that this was due to the superior adroitness of Mazarin, as has been claimed, perceiving the trend of the Protector's ambitions and turning them against Spain and her American possessions and away from French designs on the Continent. It may be that it was due to the insistence of Gage and Modyford. But it may be that Cromwellian ambitions needed no such direction. It may even be that he was led on by the thought not only of a great stroke for Protestantism but by dreams of rehabilitating his finances. Even if his policy contributed more to the gain of France than the profit of England, given such characters and such a situation in the drama of international politics, this was perhaps inevitable in the nature of the case.

⁹ Copy in Rawl. MSS. A261, f. 56.

¹⁰ Gardiner, *Comm. and Prot.*, iv, 171.

But there is one more element to be considered — that of the security of those then in authority in England, which the coincidence of the establishment of the major-generals and war with Spain made more notable. Among its other results, that conflict, combined with friendly relations with France, contributed to the weakening of the Stuart cause, and it can hardly be supposed that the English revolutionary leaders, least of all Cromwell, overlooked this advantage. The appointment of the major-generals testified not only to the Cromwellian supremacy but to the temper of the people whom it kept down by such means. As the foreign envoys recognized, it was a symptom of weakness no less than of strength. For the Protectorate, as many men perceived — and Cromwell, perhaps among them — was a house built on sand which a tide of public opinion might sweep away, as in time it did. The Protector had achieved the seemingly impossible, but he had not given permanence to the impossible. It may be that his new adventure in foreign affairs was an effort, however unconscious, to strengthen his position at home, even at this moment threatened by new attacks.

The efforts made to suppress the pamphlets attacking him while he was ill had begun to bear fruit. While he was at Hampton Court for the week-end, three men were examined in an attempt to identify the author and publisher of a *Short Discovery* distributed at night during the previous week.¹¹ One John Sturgeon, a member of his own life-guard, was examined¹² and reported to be in custody for publishing a pamphlet attacking the Protector — possibly this same effusion.¹³ Perhaps to offset these attacks, when the Protector returned from Hampton Court on Tuesday he met the Lord Mayor and Aldermen of London at Whitehall,¹⁴ and sat with the Council which was reported as making progress in "settling the reducement of the Forces" and "easing the people of Taxes."¹⁵ But their chief concern seems to have been the problem of the press, especially the activities of Barkstead's committee. These had now culminated in the suppression of all but government news-books, and in consequence, as the historian of English journalism observes, "there is nothing further to record" of that subject until Oliver's rule was over.¹⁶

This proceeding against the freedom of the press was emphasized by a more personal issue. Sir Peter Wentworth, sometime Sheriff of Ox-

¹¹ Thurloe, iii, 738-39.

¹² With Richard Moore, stationer, and Henry Clarke. Cp. above for *Queries for his Highness to answer . . .*, Thurloe, iii, 150-51, and *Pub. Intell.*, Oct. 8-15.

¹³ Cp. Clyde, *Freedom of the Press*, p. 278.

¹⁴ *Perf. Diurn.*, Aug. 28.

¹⁵ *Ibid.* The notes of the Council proceedings, however, indicate nothing of such a character.

¹⁶ Williams, *Hist. of Eng. Journalism*, pp. 156-7.

fordshire and collector of ship-money, member of the old Long Parliament and denounced personally by Cromwell when he dissolved it, a member of the Council under the Commonwealth and a friend of John Milton, opposed the taxes levied by the Protector and caused the arrest of the assessors, Barnet and Walden, in Coventry. On August 24 Serjeant Dendy had been ordered to bring Wentworth before the Council for his contumacy, and there Sir Peter defended himself by declaring to the Protector that "by the law of England no money ought to be levied upon people without their consent in Parliament."¹⁷ When Cromwell ordered him to withdraw he replied "if you will command me, I must submit;"¹⁸ and with the liberation of the assessors and the discharge of the contumacious Sir Peter the incident was closed.¹⁹ But it served to illustrate the fact that even among those who had taken part in the overthrow of the Stuarts were many who, like Wentworth, were far from reconciled to the Cromwellian dictatorship. Among these was Ludlow whose reluctance to submit to the Protectorate had brought him into conflict with the authorities. He had apparently come under the displeasure of the Protector and Council in April, had been forbidden to come to England on August 25, and three days later the Council sent a second command to Fleetwood to keep him in Ireland until further orders.²⁰ This seems to have crossed a letter from Fleetwood to the effect that he had taken an engagement from Ludlow and was allowing him liberty to wait on the Protector by September 10.²¹ Meanwhile his regiment, with others, mostly disaffected, was disbanded and their arrears paid with land.²² These measures with minor business, chiefly consideration of petitions,²³ made up the activities of the week.

Despite the opposition in the City; in the country at large, in so far as it was known; and certainly in the Council, the Protector pressed forward on his great adventure of war with Spain. All this was overborne

¹⁷ *Cal. S. P. Dom.* (1655), pp. 296-7, 300, 596.

¹⁸ Ludlow, *Memoirs*, i, 413-4.

¹⁹ Gardiner, *Comm. and Prot.*, iii, 301-2.

²⁰ *Cal. S. P. Dom.* (1655), p. 300.

²¹ Thurloe, iv, 743-4, with engagement of Ludlow; cp. Ludlow, *Memoirs*, i, 420-1.

²² *Ibid.*, pp. 415-6; Thurloe, iv, 73-4, and iii, 744.

²³ Vermuyden to drain lands in Somerset (*Cal. S. P. Dom.* (1655), p. 302); inhabitants of Jersey as to compounding, with ref. Aug. 21 (*ibid.*, pp. 305-6); Penruddock's widow for return of forfeited estate (*ibid.*, p. 306); widow of Lt.-Col. John Clarke, killed in Hispaniola, for arrears, signed by Protector (*ibid.*); Tower workmen for six years' arrears (*ibid.*); Jas. Collellas, master of the *Florizant* of Dieppe for pass to Senegal etc. (*ibid.*, p. 307); John Villiers, Viscount Grandison, for weekly allowance, apparently promised by the Protector (Thurloe, iii, 737); order in Council that he and Alexander Erskine, Earl of Keltie, have leave to go beyond seas and have £50 each to meet debts (*Cal. S. P. Dom.* (1655), p. 307; *ibid.* (1655-6), p. 576: pass, Nov. 30, 1655).

by the Protector, especially in his Council speech of October 15, when it was apparently decided to give Cardenas his passport and instructions to leave the country. Even when he left, on October 27, his baggage was broken open by the customs officials at Dover, under pretence of searching for prohibited goods. Though it is not probable that this last insult was due to the Protector's orders, nothing seems to have been omitted in the measures to ensure a final and irrevocable breach, even to this final courtesy.

On that same Wednesday, October 15, besides the discussion over the war with Spain, the Council debated the business of the navy, in which, it would appear, the Protector took part, as he was especially requested to be present.²⁴ Two days later a representation was made to the Council from the Admiralty Commissioners on the state of naval affairs, especially on the condition of Blake's fleet and the financial problems involved in refitting it.²⁵ This, in the condition of the treasury, was a serious question. Orders had gone out earlier to pay it off as soon as possible, but according to this report the wages due the seamen amounted to some £120,000 and the Navy Treasurers had only a sixth of that sum at their command, while the so-called "dead" or current charges for keeping the fleet in being were £2,000 a week for wages and victuals. Moreover, since the return of the fleets from the West Indies and the Mediterranean, payments had to be stopped to the contractors for the navy; the supply for naval support had fallen so far short of its expenses that the naval debt had risen to £657,853/14/7, including the amount due Blake's fleet. The naval supplies were much depleted. Several ships had been long at sea and were unpaid; they were out of repair and not fit to be in service, but they could not be recalled as there was no money to pay them. Yet the government had gone too far to go back, and the commissioners, while asking for relief, inquired what provision they should begin to make for next summer's service.²⁶ From all of this it appeared that, though the financial situation was acute, there was no intention on that account of giving up the spring campaign, which, in fact, it might be hoped, if it were successful, would supply the means of further hostilities, provided the Spanish Plate fleet were taken.

A little incident further emphasized the Protector's connection with America at this moment. One Captain Joseph Ames of Yarmouth, who had carried many of the transported Royalists to the west, now returned from Newfoundland and New England bringing a young deer as a present to Cromwell from Roger Williams, then president of Provi-

²⁴ *Cal. S. P. Dom. (1655)*, p. 374.

²⁵ Thurloe, iv, 79-80; summarized in *Cal. S. P. Dom. (1655)*, p. 382.

²⁶ *Ibid.*; cp. also p. 544 for note of list of Blake's fleet in August and September, "viz., 28 ships besides 4 more lately sent, and 5 come home." For the financial situation cp. further *ibid.*, pp. 382, 554, and Thurloe, iv, 79-80.

dence Plantation, as a return for kindnesses shown him by the Protector.²⁷ Nor were Scotland and Ireland neglected. Henry Cromwell returned from a visit to the disbanded soldiers who had been provided for with land-grants and reported having taken prisoner a certain Lieutenant-colonel Scott late of Ludlow's regiment, a ringleader in promoting sedition.²⁸ From Edinburgh Broghill wrote in the name of the Scottish Council asking for approval of grants of £2,500 then in hand to satisfy loyal Scots who had suffered for their loyalty.²⁹ To this he added a letter to Thurloe noting that in accordance with the Protector's orders to Monk, they had disbanded three companies and made other reductions, rather than reducing pay, and so provided £500 a month more for fortifications and other contingent charges.³⁰ At the same time the Protector advised Monk that Lord Cranston had been granted permission to raise 1,000 men in Scotland for the Swedish service, and on the next day he signed an order for the payment of a pension to one Lawrence Glassopp, which indicates, among other things, that this as well as other such obligations were usually passed on to the authorities of the locality to which their recipients belonged:

To General Monk

SIR,

We having thought fit to give leave that a regiment of foot consisting of 1000 men should be raised in Scotland by the Lord Cranston to be transported for the service of the King of Sweathland. These are to signify to you our pleasure that you permit and suffer the said Lord Cranston by beat of drum, or otherwise as shall be most convenient to raise the said regiment for the service aforesaid in any part of Scotland and that you give such further orders and directions therein as shall be necessary, as well for his assistance and furtherance therein as that the country be not burthened by quartering of them, or otherwise, the said Lord Cranston having engaged that he will take care for their constant pay whilst they shall remain in Scotland and that he will use all speed in their transportation whereof you are to require performance on his part.

Your loving friend,

OLIVER P.³¹

12th Octo. 1655.

Order

OLIVER P.

By his Highnesse the Lord Protector

Whereas it appeared by the certificate of Col. Brooke that the bearer hereof,

²⁷ Ames to Admiralty Committee, Oct. 8, *Cal. S. P. Dom.* (1655), p. 553; same to same, Oct. 11, *ibid.*, p. 556; cp. *Dict. Nat. Biog.*, "Ames."

²⁸ Henry Cromwell to Protector, Oct. 9, Thurloe, iv, 73-4.

²⁹ Oct. 11, *ibid.*, pp. 76-7.

³⁰ Oct. 9, *ibid.*, p. 73. For letter of July 26 to Monk see above.

³¹ Copy in Rawl. MSS. A261, f. 56-56v. See *supra*, July 9, 1655, from Rawl. MSS., A261, f. 50v-51.

Lawrence Glassopp was wounded in the Parliament's service and thereby disabled, And that he first took up Arms in the County of Chester, It is Our will and pleasure and We do hereby order that the Justices of Peace for the said County do allow unto the said Lawrence Glassopp a competent pension for his maintenance. Given at White Hall the 13th day of October 1655.³²

The Spanish situation was coming rapidly to a head. The Council debate on October 15 seems to have turned on three points — reparations, commercial privileges and the Inquisition — and despite opposition the Protector had his wish for war.³³ Cardenas was about to leave. To Bonde and Sagredo he condemned Cromwell's underhanded and dishonorable attack on Spanish possessions and fleet and denounced his hope for war in America and peace in Europe as too childish to discuss. His master, he reiterated, had two eyes — trade monopoly and the Inquisition — and Cromwell would put them both out.³⁴ Under such conditions it was most important for the Protector to keep on good terms with the northern powers and on Thursday morning he gave an audience to Nicupoort, with only Thurloe present. In reply to the Dutch ambassador's request for information, as Nicupoort relates:

"The Protector made me a recital of what he had assured me of before; and declared anew, that he would shew at all times his sincere affection for the welfare of the United Provinces, and would always willingly help to prevent, whatever might be undertaken to their prejudice. That he had caused, in a conference, to be proposed to the lord ambassador of Sweden so much, that he was of opinion, that all the Protestant high powers ought to cultivate among themselves unity and friendship, and to be upon the watch against the conduct and intentions of the present Pope and his adherents." Asked if he did not think that matters might be better directed in Poland, "he promised me to take his further resolution upon it very soon," and when told that van Ommeren had new instructions to help the Vaudois, "the Lord Protector replied, that it had rejoiced him exceedingly, that their High Mightinesses did so much, and with such a fervent zeal, take to heart the interest of those poor people of the true Reformed religion; assuring me, that there was nothing he valued more, and for which he was ready, if it were the will of the Lord, (these were his words) to suffer anew the greatest torments; and that upon what I had formerly communicated to the secretary of state touching the same, he had given orders, that his envoys in Switzerland should promote that affair with the greatest application. He told me likewise, that Mr. Downing

³² The original is in Chester Castle with an order, signed by John King for the Treasurers of the Counties through which Glassopp had to pass on his way to Chester, for relief to be given to him. The certificate of Col. H. Brooke is also preserved with Cromwell's order. All three documents were kindly communicated by Mr. G. D. Ramsay.

³³ Cp. Gardiner, *Comm. and Prot.*, iv, 171.

³⁴ Oct. 17, conversation with Bonde, Bonde to Charles X, Oct. 19, *Stockholm Trans.*; Sagredo to Doge, Oct. 19/29, *Cal. S. P. Ven.* (1655-6), pp. 129-30.

and others inform'd him, that their High Mightinesses had made a very good choice, and that the lord Van Ommeren was a very able minister, to bring about by a prudent conduct and zealous fidelity a happy success." To Nieuport's complaint of Dutch ships being taken in Barbados and elsewhere, the Protector gave the papers which Nieupoort had prepared to Thurloe, "commanding him to procure, that the same might be forthwith read in the Council, though it should happen that he could not be present himself. Further he told me, that as he believed their High Mightinesses would not defend what would tend to the prejudice of this state, in relation to such persons, who have so grossly injured the same; so likewise he was always sorry, when he heard that any thing had happened to the loss of the subjects of their High Mightinesses."⁸⁵

Such was a typical interview, to which Schlezer added his opinion that Cromwell desired a close union with the Netherlands as well as with the Swiss confederacy and he was firmly resolved on a Protestant union.⁸⁶ But one of the many difficulties in such a programme was the rivalry among the Protestant states themselves, like the Swedish-Brandenburg quarrel, the conflicting interests of Sweden and the Netherlands, to say nothing of the Anglo-Dutch situation. Longland wrote from Italy that Cromwell was considered "an intimat colleague, if not the contryver, of the King of Sweden's expedition for Polland," the success of which "maks al Italy very meek and humble."⁸⁷ This would seem to have been confirmed by Cromwell's friendly conversations with Bonde and still more by his permission to recruit soldiers in Scotland. But on the other hand, Thurloe's statement that Charles X Gustavus had not consulted the Protector before embarking on his Polish adventure⁸⁸ and the tone of Cromwell's letters to Charles X does not bear out this interpretation of their relations. None the less the Protector seemed not averse to contributing to the cosmopolitan army which Charles X had raised for his expedition, as his permission to Lord Cranstoun to raise troops in Scotland and the letter which he now wrote to commend an Italian or French Swiss adventurer to that monarch indicates:

To Charles' Gustavus of Sweden

Most Serene and Powerful Prince:

Although we do not doubt that the bearer of these presents, André, a vigorous and excellent man, who recently was in command of the Piedmontese against the Duke of Savoy and most stoutly defended the parties of the Reformed, will be agreeable and acceptable to you not only on account of his great devotion to and veneration of your Majesty, but also on account of the

⁸⁵ Nieupoort to States General, Oct. 19/29, Thurloe, iv, 213-15.

⁸⁶ Instruction to Schlezer, Oct. 20/30, *Urkunden und Actenstücke*, vii, 721.

⁸⁷ Longland to Thurloe, Thurloe, iv, 92.

⁸⁸ Bischoffshausen, p. 213.

remarkable talents the singular proof of which he has already demonstrated, nevertheless we trust that by this our recommendation he will be more acceptable to your Majesty. That, indeed, your usual kindness to brave men, and our sincere affection for you because of your friendship promise to us. If therefore your Majesty should kindly enroll in your military service the aforesaid man, who is desirous of serving under your propitious command, and provide him with some important post, you would show great consideration not so much for his many merits as for our recommendation, and would render us ourselves more obliged to render equal services of a greateful heart. We wish your Majesty safe and sound as long as possible. Given from our Hall of Westminster, 19 October 1655.

Your good friend,
OLIVER P.³⁹

Schlezer, who his master judged correctly would be well received by the Protector, had begun to collect such information and opinions as were proper to his mission, and wrote that the reasons for the failure at Hispaniola — which seems to have been a sore spot still — were too great reliance on the Protector's power, that is to say too much self-confidence, and the use of Barbados "*canaille*" instead of "respectable, God-fearing men."⁴⁰ This seems to put that disaster on the shoulders of Cromwell rather than on those of his scapegoats, Penn and Venables, a judgment which has, on the whole, been borne out by history. In spite of the Brandenburg envoy's observation that the Protector was often ill,⁴¹ he managed to be at five Council meetings this week, which was unusual for him at any time.⁴² It is not inconceivable that this was due to the accumulation of business during his recent absences or to his determination to show that he was still able to hold the reins of government — or both. That business, especially in view of the Spanish adventure, was considerable. In addition to the order of the Protector and Council which appeared in print on October 15, though it "should have been published some time since," for those that bought delinquents' estates to pay in all arrears of purchase money,⁴³ he signed a commission for one George Langford as chirurgeon to Goffe's regiment of horse,⁴⁴ then stationed in the Midlands.

Of the deliberations of the Council during this week there is little in

³⁹ Latin original in the Riksarkivet in Stockholm, in *Anglica: "Parlamentets och Protektorernas originalbref till svenska konungahuset 1645-1660."* Copy in *Rawl. MSS., A261, f. 56v*, pr. *infra* in App. II (43).

⁴⁰ Schlezer to Waldeck, Oct. 19/29, communicated by Mr. Mendenhall.

⁴¹ *Ibid.*

⁴² *Cal. S. P. Dom. (1655)*, p. xxviii.

⁴³ In *Pub. Intell.*; see also *Cal. S. P. Dom. (1655)*, p. 378. Must be paid before Nov. 8, with penalties. Appr. Oct. 13.

⁴⁴ Sold by Christie to Maggs, 1915, *Autog. Prices Current*, i, 45; offered in *Maggs Cat.* no. 353 (Spring, 1917).

the records beyond the usual consideration of petitions,⁴⁵ though it met twice on both Wednesday and Friday — Thursday being kept as a private fast-day on account of the West Indian business.⁴⁶ On Friday and Saturday there were some last-minute details to be settled with regard to the establishment of the major-generals from which it appears that much of their duties — for some of them, at least — was to be performed by deputy. Lambert was advised to appoint Colonel Robert Lilburne as his deputy for York and Durham and Colonel Charles Howard for Cumberland, Northumberland and Westmorland; and Fleetwood to appoint the major of his own regiment, Hezekiah Haynes, for Norfolk, Suffolk, Essex, Cambridge, Ely, Oxford and Bucks.⁴⁷ These appointments — presumably of the major-generals — Thurloe noted as the “greatest creation of Honours, His Highness hath made.”⁴⁸ Joined to this was the concern about the sea forces. The Admiralty Commissioners were ordered to provide eight ships with all secrecy to be sent to the West Indies⁴⁹ and on the following day to provide forty ships with 8,230 men to be ready for immediate service, probably in the Channel and Mediterranean.⁵⁰ The result was another shortage of money and Cromwell was obliged to ask the City to lend the government enough to pay Blake’s fleet, since it had taken all available funds to pay off Penn’s ships,⁵¹ and the impending war with Spain made it imperative to satisfy the seamen.

The preparations for this, in fact, absorbed the Council’s attention to the exclusion of nearly all other business save a few petitions.⁵² On Tuesday the Admiralty Commissioners were ordered to supply six

⁴⁵ Oct. 19, from Jeremy Blackman and other London merchants to free supplies of saltpeter bought from East India Co. (*Cal. S. P. Dom.* (1655), p. 387; cp. *Foster, Court Minutes*, v, 62–3), and ref. to order of Oct. 11 not to export until satisfaction be given as to the destination because possibly “prejudicial in the present juncture” (*Cal. S. P. Dom.* (1655), p. 378). Oct. 20, from Wm. Burill, late gov. of Mersey, says the Protector ordered him to destroy Mersey Fort, but Jas. Shirley of Clapham, owner, forbids it; order for committee to confer with Shirley about “his interrupting the service in Mersey Island” (*ibid.*, p. 389).

⁴⁶ *Cal. S. P. Dom.* (1655), p. xxviii; *Clarke Papers*, iii, 60; *Pub. Intell.*, Oct. 15–22, dates the fast day Oct. 17, which is doubtless an error, since there were two Council meetings on that day.

⁴⁷ *Cal. S. P. Dom.* (1655), p. 387; Oct. 20 (Sat.), details on the same, p. 390.

⁴⁸ Thurloe to Henry Cromwell, Oct. 16, Thurloe, iv, 88.

⁴⁹ *Cal. S. P. Dom.* (1655), p. 610.

⁵⁰ *Ibid.*, p. 389.

⁵¹ *Clarke Papers*, iii, 60.

⁵² Council met on Tues., Wed., Thurs. A.M., Thurs. 4 P.M., Fri. A.M. and P.M., Cromwell present at all meetings except Fri. A.M. (*Cal. S. P. Dom.*, 1655, p. xxviii). His approval of two orders of 11 and 12 Oct. noted on Oct. 23 (*ibid.*, p. 392). Petitions of John Clarke about stolen bullocks (*ibid.*, p. 398) and of Lovell Scot whose plea was referred by the Protector to the Council and so to a committee (*ibid.*, p. 400), report Nov. 2 (*ibid.*, 1655–6, p. 5).

months' victuals for 16,000 men to serve in the navy and to make ready thirty-one ships with 3,010 men in addition to the forty already demanded,⁵³ and were authorized to exchange any vessel on the list for another of equal strength.⁵⁴ At the Wednesday meeting it was ordered that all moneys, except the monthly assessment, due the Treasurers be applied to the navy and land and sea forces for the West Indies.⁵⁵ Colonel Jones, apparently as chairman of a committee of the Council to borrow money, reported that he had secured promises of £14,000 to be lent "for present service" and repayable on demand;⁵⁶ while the Protector was requested to speak with Lord Mayor Packe "on this day's debate about the Admiralty," presumably as to supplementing this sum with a loan from the City.⁵⁷

From all this and from other evidence it is apparent that the Protector and Council were straining every nerve to carry through the Spanish business which, in spite of the success at Jamaica, had justified Lambert's judgment rather than that of Cromwell. It was a severe strain on the resources of the government; and that the fear of the Royalists was not over was evidenced by a declaration that "all who have been of the late King or his son's party depart from London and Westminster and the lines of communication before 5 Nov., 1655,"⁵⁸ which gives some indication of the imminence of war. It was no less evident that there was still some doubt as to the authority of the existing system itself, for Sagredo reported continuance of the effort to convert the army and the chief officers to the idea of electing Cromwell emperor after the old Roman model, and the opposition to such a programme.⁵⁹

It was accompanied by a new paper war. At this moment appeared *The Protector, so called, in part unveiled: by whom the Mystery of Iniquity is now working . . .* a Baptist-Fifth Monarchist attack by "a late Member of the Army."⁶⁰ Prynne, but lately released from a three year term in prison, entered the fray with his *New Discovery of Free State Tyranny*.⁶¹ John Phillips published his scathing attack on the Puritanism of Cromwell and his followers in his *Satyr against Hypocrites*,⁶² and other publications of like sort indicated not only that Bark-

⁵³ *Ibid.* (1655), p. 392 and Thurloe, iv, 107 (list of ships).

⁵⁴ *Cal. S. P. Dom.* (1655), p. 396.

⁵⁵ *Ibid.*, p. 394.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*, p. 395; publ. in *Pub. Intell.*, Oct. 22-29; cal. in Crawford, i, 370.

⁵⁹ Sagredo to Doge, Oct. 26/Nov. 5, *Cal. S. P. Ven.* (1655-6), p. 132.

⁶⁰ Abbott, *Bibliog. of O. C.*, no. 782. John Harris was examined and testified against one Jones who had helped to print this and the *Queries* of August (Thurloe, iii, 149).

⁶¹ Abbott, *Bibliog. of O. C.*, no. 783.

⁶² *Ibid.*, no. 779.

stead's committee had not been wholly effective but that there was another rising tide of discontent. Thurloe reported that the major-generals were going to their posts to prepare against another projected Royalist rising,⁶³ and another letter for their instruction was read, amended and ordered to be presented to the Protector.⁶⁴ To further ensure peace the Council advised a commission be issued to Colonel Brewster — and probably others — to raise and command forces to "suppress invasion, rebellion, insurrection or tumult."⁶⁵

Instructions unto Colonel Humphrey Bruester [Brewster,] commissioned by his Highness the Lord Protector to be Captain of a Troop of Horse to be raised within the County of Suffolk, for the service of his Highness and the Commonwealth

1. You shall forthwith raise, enlist, and have in readiness under your command as Captain, and such Lieutenant, Cornet and Quarter-Master as his Highness shall commissionate for that purpose, one-hundred able Soldiers, the three Corporals included, well mounted for service, and armed with one good sword and case of pistols, holsters, saddle, bridle, and other furniture fit for war, to serve as a Troop of Horse in the service of the Commonwealth, as is hereafter required.

2. You shall use your utmost endeavour that the said troops shall be men of good life and conversation; and before their being listed shall promise that they will be true and faithful to his Highness the Lord Protector and the Commonwealth, against all who shall design or attempt any thing against his Highness's Person, or endeavour to disturb the public Peace. And the like engagement shall be taken by the Lieutenant, Cornet and Quarter-Master of the said Troop.

3. You shall be ready to draw forth and muster the said Troop, armed and fitted as aforesaid, upon the 25th day of December next ensuing, from which time the said Troop, Officers and Soldiers, shall be deemed to be in the actual service of his Highness and the Commonwealth, and be paid accordingly. And you shall also draw forth the said Troops four times in every year within the county of Suffolk, completely furnished as before mentioned, to be raised and mustered by such persons as shall from time to time be appointed by the Protector.

4. You shall also at all other times have the said Troops in all readiness as aforesaid at forty-eight hours' warning, or sooner if it may be, whensoever his Highness, or such as he shall appoint for that purpose, shall require the same for the suppressing of any invasion, rebellion, insurrection, or tumult, or performing of any other service within England and Wales. And in case that any of the said service shall continue above the space of twenty-eight days in one year, the said Officers and Soldiers shall, after the expiration of the said twenty-eight days, be paid according to the establishment of the Army then in force, over and besides what is agreed to be paid unto them by these presents, for so long as they shall continue in the said service.

⁶³ Thurloe to Henry Cromwell, Oct. 23, Thurloe, iv, 107.

⁶⁴ *Cal. S. P. Dom.* (1655), p. 397 (Oct. 25).

⁶⁵ *Ibid.*, p. 396.

5. That in case any shall make default in appearance, without just and sufficient cause, or shall not be mounted, armed and provided as aforesaid, or shall offend against good manners or the laws of war; that every person so offending shall be liable to such punishment as the Captain or chief Officer present with the Troops, with advice of the persons appointed to take the said musters, shall think fit: provided the said punishment extends no further than loss of place or one year's pay.

6. That in consideration of the service to be performed as aforesaid, you shall receive for the use of the said Troop the sum of one-thousand pounds per annum, to be paid out of the public revenue by quarterly payments, to be distributed according to the proportions following: To yourself, as Captain, one-hundred pounds per annum; to the Lieutenant fifty pounds per annum; to the Cornet twenty-five pounds per annum; to the Quarter-Master thirteen pounds six shillings and eight-pence per annum; to each of the three Corporals, two pounds per annum; one Trumpet, five pounds six shillings and four-pence per annum; and to each Soldier eight pounds per annum.

OLIVER P.⁶⁶

Whitehall, 26th October 1655.

These were not all the measures for clearing the decks before declaring war on Spain. Captain Shaw, who had arrested Ludlow at Beauvais, came to report his action to the Protector, and though Fleetwood was indignant at having his authority overruled, Thurloe predicted that Cromwell would keep Ludlow in prison⁶⁷ which he did.⁶⁸ From Edinburgh Broghill wrote in regard to the Protector's orders concerning possible concealed treasure,⁶⁹ adding that if the story were true that he had authorized levying 2,000 Scots for Sweden, he would have difficulty in finding men to go to Jamaica.⁷⁰ Nieupoort petitioned the Protector to authorize the two surviving arbitrators for the damage done English ships in Denmark — William Cross and John Beccx — to settle the account of Sir Thomas Viner for money ordered by the Protector to be paid him and the remainder which had not been due or demanded by the claimants, be restored to the States General.⁷¹ Finally there were issued at about this time two documents of some interest. The one was a series of instructions to the Council of Scotland; the other a letter, probably to Governor Searle of Barbados — possibly to Governor Stokes of Nevis — in regard to the better securing of the new conquest of Jamaica:

⁶⁶ Lomas-Carlyle, App. 29, from a copy then in possession of Charles Meadows, Esq., now reported in National Library of Scotland. Carlyle called this "Suffolk Yeomanry" and Mrs. Lomas notes that "troops" in line 1, par. 2 should probably be "troop," and adds "[additional]" after "two pounds" in ll. 7-8, par. 6.

⁶⁷ Thurloe to Henry Cromwell, Oct. 23, Thurloe, iv, 107.

⁶⁸ Ludlow, *Memoirs*, i, 428.

⁶⁹ Broghill to Cromwell, Oct. 23, Thurloe, iv, 106; see *supra*, p. 677.

⁷⁰ Broghill to Thurloe, Oct. 23, Thurloe, iv, 104-5.

⁷¹ Oct. 25/Nov. 4, *ibid.*, p. 114.

Instructions to the council of Scotland

[October 1655]

By his highness Oliver lord protector of the commonwealth of England, Scotland and Ireland, and the dominions thereto belonging

1. First for the West India expedition, you are to require and command, the sherriffs of the severall countys the commissioners of the severall parishes and the inheritors of the severall lands, to take all the knowne idle masterlesse vagabonds and robars, menn and weomen, the only instruments of troble, plots, and projects in the commonwealth; and to that effect that they may not faile, you are to command the governors of the severall garrisons to be assisting thereunto; and to see the persons soe taken to be quartered and maintained by the severall parishes, where they shal bee taken, who are to be answerable for the same untill such tyme as they shall be transported: and who ever faile herein are to be esteemed as enemyes to the commonwealth, and proceeded against accordingly; the governors of the severall garrisons allwaies taking care of secureing there persons, and proceeding against there reseters, if they be fugative.

2. Secondly, you are to appoint the governor of Innerlocha and Invernesse above the river of Forth, and the comander in chiefe on south side of Forth, to imploy such persons, as they may best trust, and those who knowe all such idle masterlesse vagabonds and robars, menn and weomen, and to give in a list of them from tyme to tyme, to the effect none may be omitted; for whose encouragement for listing and discovering of such persons from tyme to tyme, you are to appoint six pence out of every hundred pounds Scotch vallewed rent to be collected *per ann.* by the collectors of the countyes over and above the ordinary assesments; which money soe collected is to be paid to such persons, as the governor of Inverlocha and Invernesse above the river of Forth shall thinke fitt, and to such persons be south the river of Forth, as the commander in chiefe in Scotland shall thinke fitt, for the effects abovesaid. And to this effect you are to take care, that none travell without passes conformable to the proclamation.

But herein you are to proceede noe further while [without] further order from us, excepting only the listing and discovering the persons as is above said.

3. Thirdly, you are to cause a true and perfect accompt to be taken of all hospitall-rents, and see the same imployed for that use of the poore, for which they were first appointed, and especially for the use of poor children of such as shall be listed for the West-India expedition; as alsoe to take care, that every parish maintain the poor people within there own parish, that none goe a begging, the governors of the garrisons, the sherifs and collectors of the countys taking care to see the same effectual.

4. Fourthly, you are to erect Lohabber, Glencoo, Rennorgh, Glenorquhay, and Glens adjasent, Ardnamorach, Ardnagowra and Glengarrie in one county by it selfe, and appoint one sheriff with all the members of court necessary, with all the libbertyes of a county, as well in matters civil as criminall; as alsoe you are to see justice administered in all other places in Scotland, where justice formerly was administered.

5. Fifthly, the garrison of Finlaricke omitted in the establishment is to be added thereunto, being a place most usefull and necessary.

6. Sixthly; you are to take speciall care, that the proclamation for the sequestration of the stipends of ministers, who continue prayer for the king, be put in execution against the most eminent, who may be presidents to others; and you are to give all encouragement to those, who will live peaceably, acknowledging, and satisfyed with present government.

7. Seventhly, you are to require the commissioners for visitation of universities and colledges to goe about the placing or displacing of ministers only by themselves, upon the call of the major parte of the people (if the minor parte) or uppon the call of the minor parte, if the melior, taking special notice allwais of such, as would live peaceably under the governement according to the laws of the church. All former orders to the contrary are declared voide.

Lastly, wherein you shall finde the advice of coll. William Bryon,⁷² Governor of Inverlocha, and mr. David Drommond, usefull for you in the particulers above named, or any other thing else, for the good of the nation of Scotland, you are to make use of them as occasion offers.

For the councell of Scotland.⁷³

To Daniel Searle, governor of Barbados [or Luke Stokes, governor of Nevis.]

SIR,

Those are first to let you know that myself and this Government reckon ourselves beholding to you for the ready expressions of your love in giving assistance to our late design, which indeed, though it hath miscarried in what we hoped for, through the disposing hand of God, for reasons best known to Himself, and, as we may justly conceive, for our sins, yet is not this Cause the less His, but will be owned by Him, as I verily believe: and therefore we dare not relinquish it, but shall, the Lord assisting, prosecute it with what strength we can, hoping for a blessing for His name's sake.

You will herewith receive some Instructions, with encouragements to remove your people thither, whereto I refer you: only let me tell you, that if you shall think to desire some other things which are not mentioned in those Instructions, rest upon my word that we shall be most ready to supply what they may be defective in and you may reasonably demand, when once you are upon the place, — where certainly you may be better able to judge what may tend more to your accommodation than at a distance. Surely the sooner you remove thither, you will have the more time to strengthen yourself, in such place or upon such port as you shall like of. And for your own part, I have named you one of the Commissioners there for managing of the whole affair; whereby you will have your vote and interest in that Government.

Having said this, I think fit to let you know that we have twenty men-of-war already there, and are sending eight more, many whereof have forty guns and upwards, and the rest above thirty. We hope the Plantation is not lacking in anything; having at the least seven-thousand fighting-men upon the place: and we are providing to supply them constantly with fresh men, and we trust they are furnished with a twelve-month's victuals; and I think, if we have it in England, they shall not want.

⁷² Almost certainly Lt.-col. Wm. Brayne, who was sent to Monk's assistance in June, 1654. Cp. Firth-Davies, p. 491.

⁷³ Thurloe, iv, 129-30.

We have also sent to the Colonies of New England like offers with yours, to remove thither; our resolution being to people and plant that Island. And indeed we have very good reason to expect considerable numbers from thence, forasmuch as the last winter was very destructive, and the summer hath proved so very sickly.

I pray God direct you; and rest,

[Whitehall Oct. ?, 1655]

Your loving friend,
OLIVER P.⁷⁴

These were natural precautions taken on the eve of such an enterprise as a war with Spain, though they echoed more of the times when Oliver's grandfather had raised the forces of Huntingdon in the days of the Armada than of these days when Spain's naval power had so shrunk that she was in far more danger from English attack than England was from hers. Matters were now approaching a crisis, but first it was necessary to get rid of Cardenas, who still lingered. The Protector had learned that the Spanish ambassador had declined to accept the first pass issued him⁷⁵ and though he continued to refuse an audience which Cardenas requested, another pass was drawn up and the ambassador was ordered to leave within four days.⁷⁶ The Admiralty Commissioners were commanded to prepare a frigate to take him to Flanders⁷⁷ and he finally departed on Saturday.⁷⁸ Immediately after the order to leave was issued to Cardenas, in fact the next day, the Protector was advised to direct the commissioners for the French treaty to sign it, since the French ambassador was prepared to accept it.⁷⁹ Though according to Schlezer there was still some argument as to phraseology — that is to say whether it should be *Rex Gallorum* or *Rex Galliarum*, and whether Protector or King⁸⁰ — it was signed about 8 P.M. on October 24.⁸¹ Sagredo did not fail to point out that "the French ambassador has not failed to profit

⁷⁴ Lomas-Carlyle, CCV. Carlyle believed it was to Searle; Mrs. Lomas was certain it was to Stokes. Pr. from Thurloe, Ms. copy in Bodleian; and in Thurloe, iv, 130, directed to Fortescue. Cp. Frank Cundall, *Governors of Jamaica in the 17th Century* (L., 1936), p. xxix. Searle and Stokes were in turn commissioners; there seems no date for Stokes' governorship, but he and many of his followers died soon after their arrival in the West Indies.

⁷⁵ Cardenas to Thurloe, Oct. 18/28, Thurloe, iv, 91; Nieupoort to States General, Oct. 26/Nov. 5, *ibid.*, p. 115.

⁷⁶ Nieupoort to States General, *ibid.*, p. 115; *Cal. S. P. Dom.* (1655), p. 392.

⁷⁷ *Ibid.*

⁷⁸ Cardenas to Philip IV, Oct. 30/Nov. 9; Nieupoort to States General, Nov. 2/12, Thurloe, iv, 117.

⁷⁹ *Cal. S. P. Dom.* (1655), p. 394 (Oct. 24).

⁸⁰ Schlezer to Waldeck, Oct. 26/Nov. 5. (Mendenhall Trans.)

⁸¹ Nieupoort to States General, Oct. 26/Nov. 5, Thurloe, iv, 115, wrongly dates the signing as Oct. 23. *Pub. Intell.*, Oct. 24, says "this evening"; see also *Clarke Papers*, iii, 61. Text of treaty in Dumont, VI, ii, 121; see Appendix to this volume.

from the rupture with Spain, in pushing on and ratifying the treaty of peace," which according to him was concluded secretly.⁸² But it was so far from secret that the *Publick Intelligencer* for the week ending October 28 announced that the articles were signed by the commissioners "and it is certainly agreed and concluded that they shall within fifteen daies be ratified by his Majesty of France."⁸³

Whether the breach with Spain and the treaty with France were due to the adroitness of Mazarin or the policy of Cromwell or to both, there is no doubt but that it was the greatest news of its day and that it worked, if anything more to the advantage of France than of England. The treaty contained the usual provisions that there should be peace and freedom of commerce between the two countries under the agreed conditions of customs and duties, except that the so-called "head money" in certain ports be abolished and that port duties be done away with. All such privileges were extended also to the people of Jersey and Guernsey. All goods, however contraband, save munitions of war, were to go free and any prizes taken at sea were to be carried into port and their papers taken to Admiralty judges at once. Pirates and robbers were to be excluded from the ports of each country — and the property taken by rebels against either government was to be restored to its owners. The agreements covered all the overseas possessions of each power and guaranteed justice in all suits in each other's territories, according to their respective laws. Commissioners were to be appointed to take cognizance of all cases of seizure since 1640, and in case of disagreement to refer the issue to the Republic of Hamburg. To these commissioners was referred the matter of the Acadian forts and goods recently taken by the English under the same terms; and a space of six months was given to merchants to clear up their affairs in case of another war between the two countries. Finally it was agreed that the United Provinces be included in the treaty, "as are also the Friends and Allys of both states who shall desire to be included in the said treaty within three months" of its signature.⁸⁴

Such were the sweeping terms of this important document, so satisfactory to both parties. But to it there was added another, secret, article of even more importance to the Protector and his government. By it the King of France agreed to expel from his territories a list of forty men, headed by Charles II and including his principal followers, Hyde, Ormonde, Culpepper, Gerrard, O'Neill, Langdale, the King's brothers, Grenville, Berkeley, Bellasis and others of like character. In return for this the Protector agreed to cease to give shelter to a shorter list, chiefly of those who belonged to the rebellious elements of the kingdom, including

⁸² Sagredo to Doge, Oct. 26/Nov. 5, *Cal. S. P. Ven.* (1655-6), p. 134.

⁸³ *Pub. Intell.*, Oct. 22-29, under date Oct. 24.

⁸⁴ Treaty in Appendix to this volume.

such familiar names as those of Condé's agent, Barrière, Cugnac, Saint Mars, Conan, and others less well known of the Frondeurs. In so far as possible, therefore, each party strove to secure itself against discontented elements which had sought refuge in the other's territories. In consequence Charles II moved his court into Spanish territories, but that, if anything, brought him even nearer to his country, for he took refuge in the Spanish Netherlands in the following spring. His brother James who had served under Turenne was, it is said by Mazarin's arrangement with Cromwell, offered command in Italy and it is further said, more dubiously, that although James' follower, Sir John Berkeley, "under Cromwell's instructions, was inciting him to resistance," he was brought again to Bruges, much against his will, to join Charles there.⁸⁵ It was, according to the same writer, the Protector's plan to set the brothers against each other. Of perhaps no less — or as little — importance were the negotiations of the old conspirator Sexby who, having escaped Cromwell's agents in the preceding spring, had found refuge in the Spanish Netherlands. Their governor, Count Fuensaldanha, he provided with as much information as he had of the Protector's plans and policies, then went to Spain, whence he communicated with Charles II and endeavored to promote a rising among the Levellers in England in behalf of Charles and supported by Spanish troops, especially the Irish, in that service. In this he was seconded by the Jesuit Peter Talbot, sometime an opponent of Rinuccini in Ireland, titular archbishop of Dublin, and at all times a conspirator against Cromwell. Their plans were more or less known to the Protector's government through its spy system in which at this moment "Colonel" Joseph Bampfield was conspicuous.

All of this was the more important in that the great occasion had finally arrived. Sir George Downing had now returned from his mission to protest against the Vaudois massacres to Louis XIV, and on Thursday, October 25, the Council held a meeting to hear an account of his negotiations⁸⁶ and to listen to the reading of what the Brandenburg envoy, Schlezer, called the "long-winded" declaration against Spain, written, or at least Latinized, by John Milton.⁸⁷ It was ordered read and considered the first thing Friday morning, and noted that Fiennes should be present.⁸⁸ As one of the Commissioners of the Great Seal and a "mouthpiece of the government," he read the draft of the Declaration or Manifesto justifying the "reasonableness of the cause of this Republic against the depredations of the Spaniards."⁸⁹ It was accepted, with some amendments,⁹⁰ and the final form was read and approved that

⁸⁵ Cp. Airy, *Charles II*, p. 121.

⁸⁶ *Cal. S. P. Dom. (1655)*, pp. 394, 396.

⁸⁷ *Ibid.*, p. 396.

⁸⁸ *Ibid.*, p. 397.

⁸⁹ *Ibid.*, p. 399.

⁹⁰ *Ibid.*, pp. 399, 400.

afternoon,⁹¹ though it was not published immediately.⁹² It was reinforced by three other measures. The first was an order that before the Admiralty judges issued any commissions of reprisal against the King of Spain, they must obtain satisfactory security from those to whom the commissions were issued.⁹³ The second was the authorization to all English ships to seize Spanish vessels and goods on the ground of the general embargo and seizure of all such property on account of the war.⁹⁴ The third was a letter addressed to the Senate of Venice on the day of the announcement of hostilities with Spain, which, though it did not mention that circumstance, was evidently not unconnected with the approaching conflict which was likely to take place, among other regions, in the Mediterranean,⁹⁵ where Venetian friendship might well be of some advantage:

A Manifesto of the Lord Protector to the Commonwealth of England, Scotland, Ireland, &c. published by consent and advice of his Council. Wherein is shewn the reasonableness of the cause of this republic against the depredations of the Spaniards.

That the motives whereby we have been lately induced to make an attack upon certain islands in the West Indies, which have been now for some time in the hands of the Spaniards, are exceeding just and reasonable, every one will easily see, who considers in what a hostile manner that king and his subjects have all along, in those parts of America, treated the English nation; which behaviour of theirs as it was very unjust at the beginning, so ever since with the same injustice they have persevered in it, in a direct contrariety to the common law of nations, and to particular articles of alliance made betwixt the two kingdoms.

It must indeed be acknowledged, the English for some years past have either patiently borne with these injuries, or only defended themselves; which may possibly give occasion to some to look upon that late expedition of our fleet to the West Indies as a war voluntarily begun by us, instead of considering that this war was first begun and raised by the Spaniards themselves, as in reality it will be found to be, and (though this republic have done all that lay in their power to establish peace and commerce in those parts) hitherto kept up and carried on by them with the greatest eagerness.

That the Spaniards themselves are the occasion of this war, will evidently appear to every one who considers how, as oft as they find opportunity, without any just cause, and without being provoked to it by any injury received, they are continually murdering, and sometimes even in cold blood butchering, any of our countrymen in America they think fit; while in the mean time they

⁹¹ *Ibid.*, p. 400.

⁹² Entered under Oct. 27 in *Pub. Intell.*, with note that it "will shortly be made publick."

⁹³ *Cal. S. P. Dom.* (1655), p. 400.

⁹⁴ *Ibid.*

⁹⁵ Sagredo to Doge, Oct. 26/Nov. 5, *Cal. S. P. Ven.* (1655-6), p. 133.

seize upon their goods and fortunes, demolish their houses and plantations, take any of their ships they happen to meet with in those seas, and treat the sailors as enemies, nay, even as pirates. For they give that opprobrious name to all, except those of their own nation, who venture to sail in those seas. Nor do they pretend any other or better right for so doing, than a certain ridiculous gift of the Pope on which they rely, and because they were the first discoverers of some parts of that western region; by virtue of which name and title, which they arrogate to themselves, they maintain that the whole power and government of that western world is lodged only in their hands. Of which very absurd title we shall have occasion to speak more fully, when we come to consider the causes assigned by the Spaniards for their thinking themselves at liberty to exercise all sorts of hostilities against our countrymen in America, to such a degree, that whoever are driven upon those coasts by stress of weather or shipwreck, or any other accident, are not only clapped in chains by them as prisoners, but are even made slaves; while they, notwithstanding all this, are so unreasonable as to think, that the peace is broken, and very much violated by the English; and that even in Europe, if they attempt anything against them in those parts, with a view to make reprisals, and to demand restitution of their goods.

But though the king of Spain's ambassadors in our country, depending on a Spanish faction which had always a very considerable influence in the last king's council, as well as his father's, did not scruple to make a great many unreasonable complaints and ridiculous demands upon the most trivial accounts, whenever the English did anything of this kind; yet those princes, though too much attached to the Spaniards, would by no means have the hands of their subjects bound up, when the Spaniards thought they should have the free use of theirs. On the contrary, they allowed their subjects to repel force by force, and to consider such of the Spaniards, as could not be brought at any rate to keep the peace in those parts, as enemies. So that about the year 1640, when this affair was debated in the last king's council, and when the Spanish ambassador desired that some ships bound for America, lying in the mouth of the river, and just ready to weigh anchor, should be stopped as being capable of doing mischief to the Spaniards in that part of the world; and when at the same time he refused the English, who asked it of him by some members of the council appointed for that purpose, the privilege of trading to the West Indies, it was nevertheless resolved upon, that these ships should pursue their intended voyage, which accordingly they did.

Thus far the aforesaid princes were not wanting to their subjects, when they made war in those places privately for their own interest, though, by reason of the power of the above-mentioned Spanish faction, they would not espouse their cause publicly, in the way they ought to have done, and in a manner suitable to the ancient glory of the English nation. And certainly, it would have been the most unbecoming and disgraceful thing in the world for us, who by the kind providence of God had in our possession so many ships equipped and furnished with everything requisite to a war by sea, to have suffered these ships rather to have grown wormeaten and rot at home for want of use, than to have been employed in avenging the blood of the English, as well as that of the poor Indians, which in those places has been so unjustly, so

cruelly, and so often shed by the hands of the Spaniards: since God has made of one blood all nations of men for to dwell on all the face of the earth, having determined the times before appointed, and the bounds of their habitation. And surely God will one time or other take vengeance on the Spaniards, who have shed so much innocent blood, who have made such terrible havoc among the poor Indians, slain so many thousands of them with the utmost barbarity, done them so many injuries, and harassed and persecuted them in such a miserable manner, whatever time that may happen, and by whose hand soever it may be executed.

But in order to justify our conduct, there is no need of having recourse to the common relation that men have to one another, which is no other than that of brethren, whereby all great and extraordinary wrongs done to particular persons ought to be considered as in a manner done to all the rest of the human race; since their having so often robbed and murdered our own countrymen was cause sufficient of itself for our having undertaken that late expedition, and has given us abundant reason to avenge ourselves on that people: to pass by at present a great many other reasons, and not to take into consideration our own safety for the future, and likewise that of our allies, especially those among them who are of the orthodox religion; and to omit several other causes, whereby we were prompted to this expedition, of which we have no mind at present to give a particular enumeration, since our principal design at this time is to declare and shew to the world the justice and equity of the thing itself, and not to reckon up all the particular causes of it. And that we may do this with the greater perspicuity, and explain generals by particulars, we must cast our eyes back a little upon things that are past, and strictly examine all the transactions betwixt the English and Spaniards, consider what has been the state of affairs on both sides, so far as may respect the mutual relation of the two kingdoms, both since the first discovery of America, and since the Reformation: which two great events, as they happened much about the same time, so they produced everywhere vast changes and revolutions, especially amongst the English and Spaniards, who since that time have conducted and managed their affairs in a very different, if not quite contrary, way to what they did formerly. For though the last king and his father, against the will of almost all their subjects, patched up any way two leagues with the Spaniards; yet the different turns of the two nations, proceeding from the difference of their religious principles, and the perpetual dissensions that were in the West Indies, together with the jealousies and suspicions which the Spaniards had all along of the English, (being always mightily afraid of losing their treasures in America,) have not only frustrated all the late attempts made by this commonwealth to obtain a peace upon reasonable and honourable terms, but were likewise the principal reasons why Philip II., in queen Elizabeth's time, broke that ancient league, that had subsisted so long, without any violation, betwixt this nation and his ancestors of the house of Burgundy and Castile; and having made war upon that queen, proposed to subdue this whole nation: which very thing in the year 1588 he attempted with all his might, while in the mean time he was treating about the establishment of a peace; which certainly cannot but be still deeply rooted in the minds of the English, and will not easily be extirpated. And though after that there was some kind of peace and commerce in Europe,

(and it was of such sort, that no Englishman durst profess his own religion within any part of the Spanish dominions, or have the Holy Bible in his house, or even aboard a ship,) yet in the West Indies the Spaniard from that time has never allowed them either to enjoy peace, or to have the privilege of trading; contrary to what was expressly stipulated concerning both these things in that league of the year 1542, concluded between Henry VIII., king of England, and the emperor Charles V., in which peace and free commerce were expressly established between these two princes and their people, through every part of their respective dominions, through all their ports and territories, without any exception of the West Indies, which was then subject to that emperor.

But as to that article, of a peace to be maintained on the part of both nations through all the countries of the world; this is indeed plainly contained in all the treaties of peace that were ever betwixt them, nor is there any exception relating to commerce in any of these treaties, till that which was made in the year 1604, with which that in the year 1630 does perfectly agree. In which two last treaties it was resolved upon, that both nations should have a privilege of trading in every part of one another's dominions, in all those places where, before the war between Philip II., king of Spain, and Elizabeth, queen of England, there was any commerce, according to what was usual and customary in ancient alliances and treaties made before that time. These are the very individual words of those treaties, which do plainly leave the matter dubious and uncertain, and so king James was satisfied to make peace with Spain any how, since he only renewed the very same treaty which had been concluded a little before the death of queen Elizabeth, who charged her deputies when it was in agitation among other things, to insist warmly on having a privilege of trading to the West Indies.

But King James, who was mightily desirous of making peace with the Spaniards, was content to leave that clause so expressed, as both parties might explain it in their own way, and as they judged would be most for their own advantage; though these words, "According to what was usual and customary in ancient alliances and treaties," are so to be understood as it is reasonable they should, according to what in justice ought to be done, and not according to what has been done on the part of the Spaniards, to their manifest violation, (which has afforded perpetual matter of complaint to the English, and has been an occasion of continual quarrels betwixt the two nations,) it is most evident from the express words of ancient treaties, that the English had a privilege both of peace and commerce, through all the Spanish dominions.

Moreover, if the way of observing ancient treaties and agreements is to be taken from their manifest violation, the Spaniards have some pretence for explaining that clause, in the last treaties, as debarring the English from all manner of commerce in these parts. And for all that, during one half the time that intervened betwixt the aforesaid treaty in the year 1542, and the beginning of the war betwixt Philip II. and Elizabeth, so far as we can judge from the manner in which things were carried on, it would appear that trading in these places was as much allowed as prohibited. But when the Spaniards would permit no commerce at all, they and the English came from the exchange of goods to that of blows and wounds; and this not only before the war broke out betwixt Philip and Elizabeth, but likewise after a peace was made

in the year 1604 by king James, and another by his son in 1630, and yet so as not to stop the course of trade through Europe. However, the king of Spain, after this late interruption of our trade, has now judged that the contests in America may be extended to Europe itself.

But we neither insist on the interpretation of treaties, nor the right of commerce by virtue of these treaties, or on any other account, as if this contest of ours with Spain were necessarily to be founded on these. This is built on the clearest and most evident reasons in the world, as will presently appear. Nevertheless, there are some things of such a nature, that though it be not so necessary to found a war upon them, yet they may very justly be obstacles to the establishing of a peace, or at least to the renewing of an alliance, in which these things are not granted, which have either been granted in former pactions, or may reasonably be expected. And this may serve as an answer to that question, Why, since we have rencrewd the ancient treaties we had formerly made with all other nations, we have not done the same with Spain? and may serve to convince the world that, in the articles of alliance, we have not, as is objected, demanded his right eye, far less both eycs, by our refusing to be liable to the cruel and bloody inquisition in those places where we have been allowed to traffic, but have only insisted upon having such a privilege of carrying on trade, as we were not to be deprived of, either by ancient treaties, or the law of nature. For though the king of Spain has assumed to himself a power of prescribing us the laws and bounds of commerce, by authority of a law made by the pope, whereby he discharges all traffic wtih Turks, Jews, and other infidels; and though under this pretence, even in time of peace, his ships of war, in other places besides the West Indies, have taken and plundered our ships; and though by the same authority of the pope, and under pretence of a certain gift he has from him, he claims the Indians for his subjects, as if forsooth they also were subject unto him, who are neither under his authority nor protection; yet we maintain, that neither the pope nor the king of Spain is invested with any such power, as either to rob them of their liberty, or us of the privilege of conversing and trading with them, which we have by the law of nature and nations, but especially with those who, as we formerly observed, are not under the power and government of the king of Spain.

Another obstacle to our renewing an alliance with Spain is sufficiently manifest, and at the same time very remarkable; which is this, that any of our ambassadors and public ministers who are sent into that kingdom, either for the sake of cultivating a good understanding, or about any other business betwixt the two commonwealths, are altogether uncertain of their lives, the king being tied down to such opinions, as hinder him from providing for their safety against murderers, so as they may not be always in the most imminent danger; whose privileges, in order to keep up and preserve friendship between princes and commonwealths, have by the law of nations been always considered as inviolable, and as a thing much more sacred than those altars of refuge, whose privileges, built on the authority of the pope and the church of Rome, have been hitherto applied to elude the force of laws and justice, which we demanded should be put in execution against the murderers of Mr. Anthony Ascham, who was sent by this republic into Spain, to procure and establish friendship betwixt the two nations. For which barbarous murder there has

never as yet been any satisfaction made, nor punishment inflicted on the authors of it, nor could this ever be obtained, though it was demanded by the parliament; and in their name several times urged with the greatest warmth by the council of state. And this has been hitherto one continued obstacle, and a very just one too, to the renewing of an alliance betwixt the two nations; nay, if we consider how other nations have frequently acted in like cases, it may be considered as a very just cause for a war.

But as to the disputes that have arisen in the West Indies, though we, both in the continent itself, and in the islands, have plantations as well as they, and have as good, nay, a better right to possess them, than the Spaniards have to possess theirs, and though we have a right to trade in those seas, equally good with theirs; yet, without any reason, or any damage sustained, and that when there was not the least dispute about commerce, they have been continually invading our colonies in a hostile way, killing our men, taking our ships, robbing us of our goods, laying waste our houses and fields, imprisoning and enslaving our people: this they have been doing all along till these present times, wherein they have of late engaged in an expedition against them.

For which reason, contrary to what used to be done formerly in the like case, they have detained our ships and merchants, and confiscated their goods almost everywhere through the Spanish dominions; so that whether we turn our eyes to America or Europe, they alone are undoubtedly to be considered as the authors of the war, and the cause of all the inconveniences and all the bloodshed with which it may possibly be attended.

There are a great many instances of the most cruel and barbarous treatment, the English have perpetually met with from the Spaniards in the West Indies; and that even in time of peace, both since the year 1604, when the peace was patched up by king James, till the time that the war broke out again, and since that last peace, which was concluded in the year 1630, to this very day. We shall only mention a few of them.

After a peace was concluded in the year 1605, a ship called the Mary, Ambrose Birch commander, was trading on the north coast of Hispaniola: the master being allured with promises of a safe and free commerce, by one father John and six of his accomplices, to go ashore to see some goods, twelve Spaniards in the meanwhile going aboard to see the English goods, while the English, suspecting no frauds, were shewing them their wares, the priest giving a signal from the shore, the Spaniards every man drew his dagger, and stabbed all the English that were in the ship, except two who leaped into the sea, and the rest ashore were put to death with an unparalleled cruelty; the master himself strip of his clothes, and fastened to a tree, was exposed naked to be bit by the flies and vermin. And after he had continued in this miserable case for the space of twenty hours, a negro, hearing his groans, came to the place, and as he was just on the point of expiring, stabbed him with a spear. This ship with her goods was valued at 5,400 l.

Another ship called the Archer was taken at St. Domingo, and all the sailors put to death. She was reckoned worth 1,300 l.

Another ship, called the Friendship, of London, with her loading, was taken by Lodowic Fajard, admiral of the Spanish fleet, all her goods confiscated,

and the merchants and mariners thrown into the sea, except one boy, who was reserved for a slave. This ship with her loading was estimated at 1,500 l.

The sailors going ashore out of another ship, called the Scorn, (the Spaniards having solemnly sworn they would do them no prejudice,) were all nevertheless bound to trees and strangled. The ship with all her goods was seized, and the merchants, to whom she belonged, lost at this time 1,500 l.

In the year 1606, a ship called the Neptune, was taken at Tortuga, by the Spanish guarda costas, valued at 4,300 l.

The same year, another ship, called the Lark, was taken by Lodowic Fajard, and confiscated, with all her loading, valued at 4,570 l.

Another, called the Castor and Pollux, was taken by the Spaniards at Florida, by whom she was confiscated, and all her sailors either killed or made slaves; for they were never heard of afterwards. This vessel with her loading was valued at 15,000 l.

In the year 1608, a Plymouth ship called the Richard, commanded by Henry Challins, fitted out at the expense of Lord Popham, lord-chief-justice of England, Ferdinand Gorges, knight, and others, to go to Virginia, happening to be driven by stress of weather upon the southern part of the Canary Islands, in her way from thence to the coast of Virginia, she chanced to fall in with eleven Spanish ships returning from St. Domingo, who seized her; and though the captain, to rescue himself out of their hands, produced a royal passport, yet the ship with all her goods was confiscated, the captain himself barbarously used by them, and sent to the galleys. This was a damage of more than 2,500 l.

A ship called the *Aid*, was served much the same way by Lodowic Fajard, having been taken under pretence of friendship; she too with her goods was confiscated, and all the sailors sent to the galleys, where some were cudgelled to death for refusing to ply the oars. Which vessel with her goods, by the Spaniards' own estimation, was worth 7,000 l.

The same year another ship, called the *Gallant Anne*, William Curry commander, as she was trading at Hispaniola, was likewise confiscated with all her goods, and all the sailors hanged; each of them, by way of ridicule, having a piece of paper scewed to his coat, which had these words written upon it, "Why came ye hither?" This ship with her burden was valued at 8,000 l. These instances do sufficiently shew what kind of peace the Spaniards maintained with us during the reign of king James, who was always very much afraid of breaking the peace with them. And we may also plainly discover the same acts of hostility and barbarous treatment ever since the last peace, which was made in the year 1630, to this very day. For this end we will first speak a little of those colonies that were planted by some noblemen of this nation, in the isle of Catelina, which they call the isle of Providence, and the island of Tortuga, by them called the island of Association. These islands about the year 1629, being then quite uninhabited, having neither men nor cattle in them, were seized by the English, who at that time were at war with the Spaniards. The year following, when peace was established betwixt the two nations, the Spaniards having made no exception about these islands, king Charles, in a charter under the great seal of England, declared himself master of the isle of Providence and some other islands adjacent to it, which he thought no way inconsistent with this peace, and gave them in possession to

some noblemen and their heirs; and next year he extended this grant to the isle of Tortuga.

And though the above-mentioned planters had got possession of these islands by the king's grant, and though this grant was exceeding well founded, first, on the law of nature, since neither the Spaniards, nor any other people whatever, were in possession of these places when they seized them; and secondly, on the right of war, since they were taken possession of in time of war, and were not excepted in the articles of peace, whence it follows from the second article of the last treaty, that the title of the Spaniards to these islands (even supposing they had had one) was made null by their own consent; and though likewise, neither the aforesaid company of planters in general, nor any one of them in particular, by any action of theirs had given any just cause of offence, either to the king of Spain or to any of his subjects, till they had first in a violent manner attacked our ships and colonies, and had slain several of the English, and set fire to their houses; yet the Spaniards, being firmly resolved to break the peace in these places, about the twenty-second of January, 1632, without any the least provocation, betwixt the isle of Tortuga and the cape of Florida, in a hostile manner fell upon a certain ship belonging to the company, called the Sea-Flower, on her return from the isle of Providence, in which engagement they slew some of the men aboard that ship, and wounded others.

After this, about the year 1634, the isle of Tortuga was attacked by four ships belonging to the Spaniards, without any injury done on the part of the English, in which attack upwards of sixty were slain, many wounded and taken prisoners, their houses burnt down and quite demolished, their most valuable goods carried off by the Spaniards, and the English almost wholly driven out of that island; of whom some were hanged, others carried to the Havana, and detained in the most abject slavery. One Grymes, who had been a gunner in Tortuga, was distinguished from the rest by a death remarkably cruel. Some of them flying for refuge to a certain desert island called Santa Cruz, were again set upon by the Spaniards, who even pursued them thither with three galleys in the month of March, 1636, of whom forty were killed, and the rest taken prisoners, and used with the utmost barbarity.

In the year 1635, July 24th, the Spaniards, with two great ships and one galley, made likewise an attack upon the isle of Providence, and they fought for several hours; but at that time they were repulsed and forced to give over their enterprise. However, they attempted the same thing a second time, about the year 1640, with twelve ships, some large, and some of a lesser size, whereof the admiral's ship was called the Armadillo, of Carthagena, one of the greater galleys of the royal plate-fleet; and having sent a great number of soldiers ashore, they were confident of making themselves masters of the whole island; but yet were repulsed with a great deal of damage, and forced to retreat. Nevertheless, having equipped another fleet, they returned a little after, when the planters, at variance among themselves, did not so much employ their thoughts about what method they should take to defend themselves, as about the terms upon which they might most advantageously surrender; which terms, upon their giving up the island, they found no difficulty to obtain. But the island was by this means wrested out of the hands both of the planters and the

commonwealth, of whom the former sustained the loss of more than 80,000 l. and the latter, besides the loss of the Island, hereby received a very open and public affront. After the Spaniards had thus made themselves masters of the isle of Providence, a ship bringing some passengers hither, who wanted to transport themselves to this place from New England, the Spaniards by stratagem having found means to get her brought within gun-shot, (the people in the ship knowing nothing of their late conquest of that island,) she was in great danger of being taken, and with very much difficulty rescued herself; the master of the ship, a very honest and worthy man, was killed by a bullet-shot from the island.

Nor were the Spaniards content to confine the acts of hostility, which they have exercised upon the people of that colony, within the boundaries of America, but have also treated them in the same hostile manner in Europe. For in the year 1638, December 25th, a ship belonging to that same company, called the Providence, Thomas Newman commander, two leagues from Dungeness on the very coast of England, was assaulted and taken by Sprengfeld, captain of a privateer belonging to Dunkirk, to which place this ship was brought, and her cargo detained, which even by the computation of many persons in that place was reckoned to amount to the sum of 30,000 l. As for the sailors, some were slain, some wounded, and the rest, after having been treated with the greatest inhumanity, in their own ship, were hurried away to Dunkirk, where they met with much the same usage, till they found some way to make their escape; and though the owners demanded satisfaction in the most earnest manner, and the last king by his resident Mr. Balthasar Gerber, and both by letters written with his own hand, and the hand of secretary Coke, asked reparation on their behalf; yet they could neither procure the restitution of their goods, nor the least compensation for these losses.

But there are other examples of the Spanish cruelty, which are of a later date, and still more shocking; such as that of their coming from Porto Rico and attacking Santa Cruz about the year 1651, an island that was not formerly inhabited, but at that time possessed by an English colony, governed by Nicol. Philips, who with about an hundred more of the colony was barbarously murdered by the hands of the Spaniards, who besides this attacked the ships in the harbour, plundered their houses and razed them from the very foundation; and when they could find no more to sacrifice to their fury, (the rest of the inhabitants having fled to the woods,) returning to Porto Rico, they gave the miserable remnant, who were well nigh famished, time to remove from Santa Cruz, and to betake themselves to some other neighbouring islands. But a little time thereafter, they returned in quest and pursuit of those who skulked in the woods; but they had the good fortune to find a way of making their escape, and stealing away privately to other islands.

In the same year, 1651, a ship belonging to John Turner, being driven into the harbour of Cumanagola by tempestuous winds, was seized by the governor of that place, and confiscated with all her lading.

The same was done to captain Cranley's ship and her goods.

And in the year 1650, a certain vessel pertaining to Samuel Wilson, loaden with horses, was taken on the high seas in her way to Barbadoes, and carried to the Havana. Both the ship and her goods were confiscated, most of the sailors imprisoned, and, like slaves, obliged to work at the fortifications.

The same hardships were endured by the sailors aboard a certain ship of Barnstable about two years since, which in her return from some of our plantations in the Carribee islands, springing a leak hard by Hispaniola, the sailors to save themselves, being obliged to get into the long-boat, got ashore, where they were all made slaves, and obliged to work at the fortifications.

By these, and many more examples of the same kind, too long to be reckoned up, it is abundantly evident, the king of Spain and his subjects think they are no way bound by any condition of peace to be performed to us on their part in these places, since they have habitually exercised all sorts of hostilities against us, nay, have even done such things as are more insufferable, and more grievous, than open acts of hostility; and since that cruelty, with which they usually treat the English in America, is so contrary to the articles of peace, that it does not so much as seem suitable to the laws of the most bloody war: however, in that embargo of the king of Spain, by which he orders our merchant ships and their goods to be seized and confiscated, the whole blame is laid upon the English, whom he brands with the odious names of treaty-breakers and violators of the most sacred peace, and likewise of free commerce, which he pretends to have so religiously maintained on his part, and gives out that we have violated the laws of peace and commerce with such strange and professed hostility, that we attempted to besiege the town of St. Domingo in the isle of Hispaniola. Which is the only cause he offers, why the goods of the English are confiscated in Spain, and the trading people confined; though this is likewise aggravated by his boasted humanity; for he maintains that he in the most friendly way received our fleets into his harbours, where it could be of any advantage for them to enter, and that his ministers did not at all require of us a strict observance of the articles of peace that were agreed to by the two crowns, which forbid both parties to enter a harbour with more than six or eight ships of war.

But as he, by talking in this strain, acquires our fleets of all trespasses and violations of treaty in these harbours, since if any such thing as is objected has been done and passed over, it has been done by the allowance of himself and his ministers; and as it is exceeding manifest, that he has not been so favourable for nought, if he will but reflect with himself what vast profits he has received from our fleets, so on the other hand, that the king and his ministers have not at all in fact observed the agreements he speaks of, in the twenty-third article of which, the following provision is made in the most express terms: "That if any differences should happen, to arise betwixt the two commonwealths, the subjects on both sides should be advertised, that they should have six months from the time of the advertisement to transport their effects, during which time there should be no arrest, interrupting, or damaging, of any man's person or goods." In which affair that king truly has shown but very little regard to those contracts which he charges us with having broken, as appears from that late confiscation of our goods. But what he declares in that edict concerning the acts of hostility committed in the West Indies, their being to be considered as a violation of peace and free commerce in these parts, is a new and quite different explanation from what has ever been propounded hitherto by either of the two republics, though both parties have frequently had occasions to declare their judgment about this matter.

But seeing the king of Spain has declared both by word and deed, that the

articles of peace ought to be thus understood, it follows, that by so many acts of hostility committed against the English in these parts, and which first began on his side, and have been continued from the very time of the last concluded treaty, as was formerly observed, to this very day; hence I say it follows, that he seems to be convinced, that the sacred bonds of friendship have been first broken on his side. Which thing is so clear and manifest, that our adversaries themselves in this controversy are ashamed to deny the fact, and choose rather to dispute with us concerning the right of possession; which must be in the following manner: as the king of Spain, among his other titles, has assumed that of king of the Indies, so they affirm, that the whole Indies and Indian sea, both south and north, belong to him; and that they are all enemies and pirates, who approach these places without his commission. Which if it were true, both we and all other nations ought to leave and restore to him all our possessions there, and having brought back whatever colonies we have sent thither, should beg his pardon for the injury we have done him. But if we consider a little more narrowly the truth and reasonableness of this title, we shall find that it is built upon a very slender and weak foundation, to have such a vast pile of war and contentions erected upon it, as the present is likely to be. They pretend to have a double title, one founded upon the pope's gift, and another upon their having first discovered those places. As to the first, we know the pope has been always very liberal in his gifts of kingdoms and countries, but in the mean time we cannot but think, that in so doing, he acts in a very different manner from him, whose vicar he professes himself, who would not so much as allow himself to be appointed a judge in the dividing of inheritances, far less give any one whole kingdoms at his pleasure, like the pope, who has thought fit to make a present of England, Ireland, and some other kingdoms.

But we deny his being invested with any such authority; nor do we think there is any nation so void of understanding, as to think that so great power is lodged in him, or that the Spaniards would believe this or acquiesce in it, if he should require them to yield up as much as he has bestowed. But if the French and others, who acknowledge the pope's authority in ecclesiastical matters, have no regard to this title of the Spaniards, it cannot be expected we should think of it any otherwise. And so we leave this point, as not deserving a fuller answer.

Nor is the other title of any greater weight, as if the Spaniards in consequence of their having first discovered some few parts of America, and given names to some islands, rivers, and promontories, had for this reason lawfully acquired the government and dominion of that new world. But such an imaginary title, founded on such a silly pretence, without being in possession, cannot possibly create any true and lawful right. The best right of possession in America is that which is founded on one's having planted colonies there, and settled in such places as had either no inhabitants, or by the consent of the inhabitants, if there were any; or at least, in some of the wild and uncultivated places of their country, which they were not numerous enough to replenish and improve; since God has created this earth for the use of men, and ordered them to replenish it throughout.

If this be true, as the Spaniards will be found to hold their possessions there very unjustly, having purchased all of them against the will of the inhabitants,

and as it were plucked them out of their very bowels, having laid the foundations of their empire in that place, in the blood of the poor natives, and rendered several large islands and countries, that were in a tolerable case when they found them, so many barren deserts, and rooted out all the inhabitants there; so the English hold their possessions there by the best right imaginable, especially those islands where the Spaniards have fallen upon their colonies, and quite demolished them; which islands had no other inhabitants at all, or if they had, they were all slain by the Spaniards, who had likewise deserted these places, and left them without any to improve or cultivate them: so that by the law of nature and nations they belong to any who think fit to take possession of them, according to that common and well-known maxim in law, "Such things as belong to none, and such as are abandoned by their former possessors, become his property who first seizes them." Although, granting we had beat the Spaniards out of those places where we have planted our colonies, out of which they had at first expelled the inhabitants, we should have possessed them with better right, as the avengers of the murder of that people, and of the injuries sustained by them, than the Spaniards their oppressors and murderers. But since we have settled our colonies in such places as were neither possessed by the natives nor the Spaniards, they having left behind them neither houses nor cattle, nor anything that could by any means keep up the right of possession, the justness of our title to these places was so much the more evident, and the injuries done us by the Spaniards so much the more manifest, especially our right to those places that were seized while the two nations were at war with each other, such as the isles of Providence and Tortuga, which if the Spaniards could have shewn to be theirs, by any former title which they have not yet produced, yet since they have not done it in the last treaty of peace, by the second article of this treaty, they have for the future cut themselves off from all such pretence, and if they had any right, have now lost it. It is unnecessary to talk any further upon this argument.

There is no intelligent person but will easily see how empty and weak those reasons are, that the Spaniard has for claiming to himself alone an empire of such a vast and prodigious extent. But we have said this much, in order to shew the weakness of those pretences, whereby the Spaniards endeavour to justify themselves for having treated us with so much cruelty and barbarity in the West Indies; for having enslaved, hanged, drowned, tortured, and put to death our countrymen, robbed them of their ships and goods, and demolished our colonies, even in the time of profound peace, and that without any injury received on their part: which cruel usage and havoc, made among our people, and such as were of the same orthodox faith with them, as oft as the English call to remembrance, they cannot miss to think that their former glory is quite gone, and their ships of war become entirely useless, if they suffer themselves to be any longer treated in such a disgraceful manner: and moreover, to be not only excluded from all free commerce in so great and opulent a part of the world, but likewise to be looked upon as pirates and robbers, and punished in the same manner as they, if they presume to sail those seas, or so much as look that way; or, in fine, have any intercourse or dealing even with their own colonies that are settled there.

Concerning the bloody Spanish inquisition we shall say nothing, this being a

controversy common to all protestants, nor shall we speake of the many seminaries of English priests and jesuits nestling under the protection of the Spaniards, which is a perpetual cause of stumbling, and very great danger to the commonwealth; since what we principally propose is, to shew the grounds and reasons of the controversies in the West Indies, and we are confident we have made it plain to all, who weigh things fairly and impartially, that necessity, honour, and justice, have prompted us to undertake this late expedition. First, we have been prompted to it by necessity; it being absolutely necessary to go to war with the Spaniards, since they will not allow us to be at peace with them: and then honour, and justice, seeing we cannot pretend to either of these, if we sit still and suffer such insufferable injuries to be done our countrymen, as those we have shewn to have been done them in the West Indies.

And truly they see but a very little way, who from their notion of the designs and intentions of the Spaniards, according to that friendly aspect, with which the present declension of their affairs has obliged them to look upon us in these parts of the world, (that face which they have put on being only a false one,) for it is certain they have the same mind, and the very same desires, which they had in the year 1588, when they endeavoured to subdue this whole island; nay, it is certain their hatred is more inflamed and their jealousies and suspicions more increased by this change of the state of our affairs, and of the form of our republic. But if we omit this opportunity, which by reason of some things that have lately happened, may perhaps give us an occasion to fall upon some way, whereby through the assistance of God we may provide for our safety, against this old and implacable enemy of our religion and country; it may happen, he will recover such a degree of strength, as will render him as formidable and hard to be endured as before. One thing is certain, he always will and cannot but have the greatest indignation against us. Meanwhile, if we suffer such grievous injuries to be done our countrymen in the West Indies, without any satisfaction or revenge; if we suffer ourselves to be wholly excluded from that so considerable a part of the world; if we suffer our malicious and inveterate enemy (especially now, after he has made peace with the Dutch) to carry off without molestation, from the West Indies, those prodigious treasures whereby he may repair his present damages, and again bring his affairs to such a prosperous and happy condition, as to deliberate with himself a second time, what he was thinking upon in the year 1588; namely, whether it would be more advisable to begin with subduing England, in order to recover the United Provinces, or with them, in order to reduce England under his subjection; without doubt he will not find fewer, but more, causes why he should begin with England. And if God should at any time permit those intentions of his to have their desired effect, we have good ground to expect, that the residue of that cruel havoc he made among our brethren at the foot of the Alps, will be first exercised upon us, and after that upon all protestants; which, if we may give credit to the complaints that were made by those poor orthodox Christians, was first designed and contrived in the court of Spain, by those friars whom they call missionaries.

All these things being considered, we hope the time will come, when all, but especially true Englishmen, will [rather] lay aside their private animosities .

among themselves, and renounce their own proper advantages, than through an excessive desire of that small profit to be made by trading to Spain, (which cannot be obtained but upon such conditions as are dishonorable and in some sort unlawful, and which may likewise be got some other way,) expose, as they now do, to the utmost danger, the souls of many young traders, by those terms upon which they now live and trade there, and suffer the lives and fortunes of many Christian brethren in America, and in fine, the honour of this whole nation, to be exposed, and, what of all is the most momentous and important, let slip out of their hands the most noble opportunities of promoting the glory of God, and enlarging the bounds of Christ's kingdom; which, we do not doubt, will appear to be the chief end of our late expedition into the West Indies against the Spaniards, to all who are free of those prejudices which hinder people from clearly discerning the truth.⁹⁶

To the Senate of Venice

Serene Prince, Illustrious Senate:

The more we esteem your friendship, which certainly we have always and most justly valued very highly, the more pleasing and acceptable to us it was to understand, both through Lorenzo Pauluzzi, your Resident with us, and more fully and eminently, however, through your Ambassador Extraordinary when a most distinguished Embassy was despatched to us, your kind devotion and friendly good will towards us. Assuredly it is pleasant to be indebted to those whom we esteem with a readier affection, and of whom we especially desire to deserve well. And we intend most promptly not only to acknowledge this obligation, but also to repay it with suitable gratitude at any time whatever. But seeing that your aforesaid Resident has finished the public service which he has worthily performed here, and has asked us for the opportunity of returning, we considered it just to dismiss him with a merited commendation and to recommend him to your favor, for we find him remarkable and proved for his good faith, skill, and prudence. The rest he will personally set forth patiently and more diffusely and fully than the shortness of a letter could do; moreover we have committed to his trust the attestation of our faith and constancy of heart and affection towards the Serene Commonwealth.

Given from our Hall of Westminster, 26 October, in the year 1655.

Your good friend,

OLIVER P.⁹⁷

Thus the die was finally cast and England entered formally into war with Spain. It is scarcely necessary at this distance to inquire into the justification for such a step. There was enough excuse on each side for such a conflict, and each side made the most of its case. The determination of Spain to maintain the monopoly of her trade in America; her

⁹⁶ Second edition, 1738. Original *Declaration* in official Latin and English versions repr. in Milton, *Works* (Columbia), xiii, no. 169. Written (in Latin) by Milton and republished many times.

⁹⁷ Latin original in the Venetian Archives: Collegio, Secreta. Lettere, Principi. Pr. in *Cal. S. P. Ven.*, (1655-6), p. 135; and in Barozzi, N. and Berchet, G., *Le Relazioni Degli Stati Europei*, Series 4, 1, 362.

natural insistence on her claims to the possession of the territories she had occupied for a century and a half; her no less natural insistence on the maintenance of her religious observances, were, indeed, infuriating to a man like Cromwell. The arguments which he advanced for his attack on Spain and her possessions he would have considered absurd had they been proposed for a Spanish attack on New England and he would have resented them as much as the Spaniards resented his excuses for what they regarded as an unjustifiable attack on their territories, properties and privileges. It was, in a sense, the impact of the irresistible force on the immovable object. But whatever justification there was for either side, two observations may be made. The one is that in the game of international politics as it was then played, the only real winner was France, who at one stroke gained an ally and weakened her enemy. The other is that the war was not popular in England. It was essentially the child of Cromwell's brain and ambition, opposed no less by men in his own Council than by the English people at large. It did, indeed, add a new possession to the "Empire of England" though that gain was at the moment bought at what seemed to many an excessive price, not only in men and money but in the interruption of trade.

Viewed in a larger prospect it had one other characteristic. Whatever their professions of peaceful intentions, all dictatorships invariably tend to engage in foreign wars. Whether to conceal their weaknesses and mistakes at home; whether to strengthen their position abroad; whether consciously or unconsciously, they all, at one point or another, embark on foreign adventures as by some inevitable and immutable law of their political nature. In three centuries there has not been a notable exception to that rule. In Cromwell's case there were two avowed purposes — the one was to avenge Spanish attacks on Englishmen, the other was professedly religious. To the dispassionate and acute Venetian representative in England the Protector's reasons were even simpler.

After the Protector, by uninterrupted successes, had subdued these three kingdoms and reduced the royal forces everywhere, he decided upon this foreign enterprise to justify the heavy taxes, which constitute an almost excessive burden on the people, and to prevent them from thinking that he intended to convert to his own use the huge quantity of gold which is drawn from the substance of the people. He aimed at maintaining the repute of his arms and to afford occupation to his large forces that without such employment might generate some peccant humours at home. After hesitating a long time, according to the unanimous assertions of the government here, whether he should attack the dominions of the Turk or of the Indies, the lure of gain, the inducement of the treasure fleets, and the greed of gold, made him decide in favour of the latter enterprise, which has cost immense sums and promises scanty returns.⁹⁸

⁹⁸ Sagredo to Doge, Oct. 26/Nov. 5, 1655, *Cal. S. P. Ven.* (1655-6), p. 133.

Sagredo probably deceived himself, or dreamed that he might deceive his masters, in thinking that his plea for aid to the Venetians against the Turks had any appreciable effect on the Protector. Apart from Blake's expedition against the Barbary Coast pirates, there is no evidence that Cromwell ever seriously considered taking part in war against the Sultan. His only hesitation, and that of his Council, seems to have been whether to choose France or Spain as an opponent, but there is reason to think that his final decision rested in part at least on the prospect of plunder from the Spanish Plate fleets, and in so far Sagredo is probably right. But even there the Protector was engaged in the politics of the past — in the Spanish Armada, the Gunpowder Plot and the Thirty Years' War. He looked back to Raleigh and his dreams of western empire, to Sully and his vision of a Protestant federation, to Gustavus Adolphus and his championship of Continental Protestantism. In this he did not represent the spirit of his time, nor that of the people whom he ruled. Unlike so many of his successors, he did not even follow the path blazed by individual English adventurers in the far corners of the earth. However influenced or disguised by religious motives, his political principles were, in effect, security for his government at home and distinction abroad, which, in turn, might contribute to security at home.

That, in the last resolution of events, so far as one may judge by the documents of the period, was the chief concern of his administration. He had now held the "supreme power" for some two years and a half, but however he may have appeared to foreign contemporaries, or to posterity, all the evidence we have goes to show the great and increasing dissatisfaction with the situation in which the country found itself under his government. It is well enough to profess that he represented the noblest aspirations of the nation, for poets like Milton and Marvell and Waller to compose panegyrics in his honor, but this was no real answer to the problem. It was well enough for him to stand forth as the champion of Protestantism and Puritanism, but even that did not meet the desire of the people for the kind of government to which they had been accustomed — a parliamentary system with, as Cromwell himself said, "something monarchical in it." The war with Spain might serve as a diversion; it might for a time distract attention from the domestic situation; but the very fact of the establishment of the major-generals seemed to indicate that the Protectoral system had broken down. England did not like a dictatorship. While Oliver lived there seemed no chance of overthrowing it, but his health was poor and men had already begun to speculate what the next phase might be. It remained to be seen what steps he, or any one, could take to secure the future of the system he endeavored to set up in place of the monarchy, or whether any steps could be taken which would secure any permanence for a system which rested in the last resort on his wit and sword. He had now embarked on the last re-

source of dictatorship, military rule and foreign adventure. If they failed to keep the country quiet, there was but one thing left — a return to the old system, whether under the house of Stuart or the house of Cromwell, or, in the opinion of some, a combination of the two in some fashion. This, then, was the great problem which the Protector faced. He had failed in his great dream of reconciling the country to the substitution of some other system in place of parliamentary monarchy, even Stuart monarchy. It remained to be seen, then, what could be done to maintain the power he had won, and what measures, if any, could be found to perpetuate it once he was gone.

APPENDICES

APPENDIX I

1. *Treaty with States General, April 5, 1654*

I (a). Articles Of Peace, Union and Confederation, Concluded and Agreed between his Highness Oliver Lord Protector Of the Common-wealth of England, Scotland & Ireland, and the Dominions thereto belonging. And the Lords the States General of the United Provinces of the Netherlands. In a Treaty at Westminster bearing date the fift of April Old Style, in the year of our Lord God 1654. Printed and Published by his Highness special command. London, . . . 1654.

Articles Of The Peace.

I. It is agreed, concluded, and accorded, That from this day forward there shall be a true, firm and inviolable Peace, more sincere Friendship, and nearer Alliance, Union and Confederation than heretofore, betwixt the Commonwealth of *England*, and the States General of the United Provinces of the *Netherlands*, and the respective Lands, Countries and Cities, without distinction of Places, under their obedience, and the people and inhabitants of them, respectively of what quality and condition soever they be.

II. *Item*, Agreed, That from henceforth all Enmity, Hostility, Discord, and War betwixt the said two Commonwealths, their People and Subjects, shall cease, and each party shall hereafter abstain from all Offences, Spoils, Depredations, and Injuries by Sea, Land and Fresh-waters in all their respective Lands, Countries, Dominions, Places, or Governments whatsoever.

III. *Item*, That all Offences, Injuries, Charges and Dammages, which either party hath sustained by the other since the 18/28 of May, in the year one thousand six hundred fifty two, shall be taken away and forgotten in such manner as that hereafter neither party shall pretend any matter against the other for or upon occasion of any the aforesaid Offences, Injuries, Charges and Dammages; But that there shall be a perfect abolition of all and every of them untill this present day. And all actions for the same shall be held and reputed void and null.

IV. That all Prisoners of both sides of what Condition, or in whatsoever Place they be, shall be set at liberty, without ransom or consideration given for them.

V. That the two Common wealths shall remain confederate friends, joyned and allied together for the Defence and Preservation of the Liberties and Freedom of the People of each against all whomsoever, who shall attempt the Disturbance of either State by Sea or Land, or be declared Enemies to the Freedom and Liberty of the People living under either of the said Governments.

VI. That neither of the Common-wealths shall make, do, act, treat of, or attempt any thing against the other, or the People of either, in any place either at Land or Sea, or in any the Havens, Creeks, Prećincts, or Fresh-waters of either, upon any occasion whatsoever. Nor that either of them, or the People of either give, yield, or afford any aid, counsel, favour, or assent that

any thing shall be done, treated of, or attempted by any other whomsoever, to the injury and wrong of the other, or the People of either, but shall expressly and with effect contradict, gainsay, oppose, and really hinder all whomsoever abiding or dwelling within either of the Common-wealths respectively, who shall be under their power that act, do, treat of, or attempt any thing against either of the Common-wealths.

VII. That neither of the Common-wealths, or the People abiding, inhabiting, or dwelling within either of them respectively, or within their power, shall yield, give, or afford any aid, counsel or favour to the Enemies or Rebells of either, but shall expressly, really, and with effect hinder any inhabiting, dwelling or abiding within either of them or within their power, from giving any aid or assistance unto such Enemies or Rebells, by Men, Shipping, Arms, Ammunition, Money, Victuals, or otherwise by Sea or Land; and all such ships, Arms, Ammunition, Money, Goods, or Victuals, of or belonging to any person or persons whatsoever, that shall be provided, employed, or made use of, contrary to the intent of this Article, shall be confiscate and forfeited to the respective Common-wealths. And the person or persons who shall wittingly and willingly do, attempt, counsel, or be employed therein, shall be declared Enemies to both Common-wealths, and shall suffer the pains and penalties of Treason within the Common-wealth where the Offence shall be committed. And to the end there may be a specification made of what Goods shall be deemed, prohibit, or contraband, Commissioners may in convenient time be appointed to determine herein Provided in the mean time that this extend not to the impeachment of any thing contained in the present Article.

VIII. That the two Common-wealths shall truly and sincerely assist each other, as need shall require, against the Rebells and Enemies of either, at Sea and Land, with Men & Ships, at the Costs and Expences of the party requiring the same, in such proportion and manner and upon such Terms and Conditions as the two States shall agree, and the present occasion require.

IX. That neither of the Common-wealths, or the People of either shall receive into any of their Jurisdictions, Countries, Lands, Ports, Creeks, or Precincts, any person or persons, that are or shall be declared by either of the Common wealths to be Enemies, Rebells or Fugitives of the other; Nor shall give, yield or afford to any such declared Enemy, Rebell or Fugitive within the places aforesaid, or other-where, though out of their Territories, Countries, Lands, Ports, Creeks, or Precincts, any aid, counsel, Lodging, Entertainment, Souldiers, Ships, Money, Arms, Ammunition or Victuals. Nor shall either of the States permit such Enemies, Rebells or Fugitives to be received by any person or persons whatsoever into their Jurisdictions, Countries, Lands, Ports, Creeks, or Precincts, nor shall suffer any Aid, Counsel, Lodging, Entertainment, Souldiers, Ships, Money, Arms, Ammunition, or Victuals to be given, yielded or afforded unto such Enemies, Rebels or Fugitives, but shall expressly and effectually oppose, withstand, and really hinder the same.

X. *Item*, It is agreed, That if either of the said Common-wealths shall by their publique and Authentick Letters, give notice, signify, or declare to the other Common wealth and person or persons, to be, and have been their Enemie or Enemies, Rebel or Rebels, Fugitive or Fugitives, and that they are, or reside within the others Jurisdictions, Territories, Dominions, Lands, Ports,

or Precincts, or therin be hid, or shelter themselves; Then that Common wealth which shall receive such Letters, or unto which such notice shall be given, and declaration made concerning such Rebels, Enemies or Fugitives, shall within the space of twenty eight daies to be reckoned immediately from the day of the aforesaid notice given, charge and command such Enemy or Enemies, Rebel or Rebels, Fugitive or Fugitives, to withdraw and depart out of their Jurisdictions, Territories, Dominions, Lands, and Precincts, and every of them. And if any such Enemy, Rebel or Fugitive shall not withdraw and depart, as aforesaid, within the space of fifteen daies after such charge and command given, That he or they shall be punished with death and loss of Land and Goods.

XI. That no Rebel or Declared Enemy of the Common-wealth of *England*, shall be received into any of the Castles, Towns, Ports, Creeks, or other places privileged, or not privileged, which any person of what degree and quality soever he be, or shall be, hath, or hereafter shall have and possess by any Title whatsoever, within the Dominions and Jurisdictions of the United Provinces; nor shall be suffered by any person of what degree and quality soever to be received thereinto, or abide therein. Neither shall the Lords the States General of the United Provinces, permit or suffer in any of the places aforesaid, any assistance, counsel or favor, in Ships, Men, Money, Victuals, or in any other manner to be given by any person, of what degree and quality soever to any such Rebel or declared Enemy, but shall openly, and exprely prohibite and hinder the same. And if any person or persons of what degree and quality soever living or remaining within the Jurisdictions of the United Provinces, or under their power, do to the contrary hereof: Then all & every such person and persons so doing, as aforesaid, shall for their respective lives, forfeit and lose all such Castles, Towns, Villages, Lands, and other places, which they or any of them shall at such time have, or pretend to have, by any Title whatsoever. And likewise that no Rebel or declared Enemy of the States of the United Provinces shal be received into any of the Castles, Towns, Ports, or other places privileged, or not privileged, which any person or persons of what degree or quality soever he or they be, have or shall have, hold or possess within the Common-wealth of *England*, or Dominions thereof, by any title whatsoever; nor be suffered by any person or persons to be received thereinto or abide therein. Neither shall the Common-wealth of *England*, permit or suffer, in any of the places aforesaid, any counsel, assistance or favor in Ships, Men, Mony, Victuals, or in any other manner to be given by any such person or persons of what degree or quality soever he or they be, to any such Rebel or declared Enemy, but shall openly and exprely prohibite and hinder the same. And if any of the people of the Common-wealth of *England*, or under their power, shall do or attempt any thing to the contrary hereof: That every such person or persons, shall for their respective lives, forfeit and lose all such Castles, Towns, Villages, Lands and other places, which they or any of them shall at such time have or pretend to have, by any Title whatsoever.

XII. That the Common-wealth of *England*, and the People and Inhabitants thereof, and the said United Provinces, and the Subjects and Inhabitants thereof, of what quality or condition soever they be, shall be bound to treat each other on both sides with all Love and Friendship: That they may

come by Water or by Land, into each others Lands, Towns, or Villages, walled or unwalled, fortified or unfortified; their Havens, and all their respective Dominions in *Europe* with freedom and security, and in them remain and continue as long as they please, and there without hinderance buy Victuals for their necessary use. And may also Trade and Traffique, and have commerce in any Goods or Commodities they please, and the same bring in and carry out at their pleasures, paying always the Customs that shall be setled, and saving always all and singular the Laws and Ordinances of either Common-wealth respectively. Yet so that the People and inhabitants of either, using Commerce in the Countries and Dominions each of other, shall not be constrained to pay any greater Customs, Tolls, or Tributes then according to such proportion as other Strangers exercising Commerce in the same places pay.

XIII. That the Ships and Vessels of the said United Provinces, as well Men of War as others meeting with any of the Ships of War of this Common-wealth in the *British Seas* shall strike their Flag and lower their Top-sail in such manner as hath ever been at any time practised heretofore under any former Government.

XIV. Item, for the greater freedom of Commerce and Navigation, it is agreed, That neither of the said Common-wealths shall receive into any of their Havens, Cities or Towns, or permit, or suffer that any of the People or Inhabitants of either of them respectively do receive, keep, harbor or give any assistance or relief unto any Pirats or Sea-Rovers, but shall cause both the said Pirates and Rovers, and also their Receivers, Concealers and Assistants to be prosecuted, apprehended, and condignly punished, for terror to others. And all Ships, Goods and Merchandise, by them Piratically taken, and brought into the Ports of either State, that shall be found in being; yea, though they have been sold, shall be restored to the right Owners, or made good to them, or such as have their Letters of Attorney or Procuration to claim the same; due proof of the Proprietors being first made in the Court of Admiralty according to Law.

XV. That if either the Common-wealths of *England*, or the United Provinces of the Low-Countries shall hereafter make any Treaty of Amity, Alliance or Friendship with any other Common-wealth Princes, or States, the one shall comprehend the other, and the Dominions therein, if they shall desire to be comprehended: And of all such Treaties each shall be bound to give notice to the other.

XVI. That if it shall happen that during the Amity, Confederation and Alliance, any thing shall be acted or attempted by any of the People or Inhabitants of either of the said Parties against this Treaty, or any part thereof, either by Land or Sea, or other waters, this Amity, Confederation & Alliance between the said Common-wealths shal not be herby interrupted or broken off, but shal continu & remain in its ful & whole power only in such case those particular persons, who have offended against the said Treaty, shall be punished and no other, And that justice shall be done, & satisfaction made to all persons concerned within twelve months after demand thereof made, upon all such persons who shall have don any thing against this Treaty, by Land or Sea, or other Waters in any part of *Europe*, or any place within the straits of *Gibraltar*, or in *America*, or upon the Coasts of *Africk*, or in any Lands, Islands, Seas, Creeks, Bayes, Rivers, or any other places on this side the *Cape of Good-*

Hope. And in all places whatsoever as aforesaid, beyond the said *Cape*, within 18. months next after demand of Justice, shall so as aforesaid be made: And in case the persons so as aforesaid offending, shall not appear and submit themselves to justice, and make satisfaction within the terms respectively here before limited, the said persons shall be declared Enemies to both Commonwealths, and their Estates, Goods, and effects whatsoever, shall be confiscate and employed to a due and full satisfaction for the Wrongs by them done, and their persons be liable to such further punishment, when they shall come within the power of either State, as the quality of their offence shall deserve.

XVII. That the people of the Commonwealth of *England* & the Dominions thereof, may freely unmolested, & securely travel in & through the Countries, & singular the Dominions of the United Provinces in *Europe*, by land or by water, to any place in them, or beyond them, and pass by any of their Towns, Garisons, or Forts in any places within the *Netherlands* whatsoever, or elsewhere, in any of their Dominions in *Europe*, to follow their Taffique in all places there: as also their Factors and Servants armed or unarmed; but if armed, not above forty men in Company, as well without as with their Goods and Merchandizes whither they please. And likewise the people and Inhabitants of the united Provinces of the *Netherlands* may enjoy the same liberties in all the Dominions of the Commonwealth of *England* in *Europe*. They and either of them observing and conforming in such their Trade and taffique to the Laws and Ordinances of each Commonwealth respectively.

XVIII. Item, Agreed, That if the Merchant Ships belonging to the people and subjects of one or the other side, shall through tempest, Pirates, or any other necessity, be driven into Port within the Dominions of either, it shall be free for them to depart thence securely with their Ships and Merchandise, without payment of any Customs or other duties, provided they break not bulk, or expose any thing to sale, nor shall they be subjected to any trouble or visitation, so be it they receive not aboard any persons or goods, nor shall do any thing contrary to the Laws, Statutes & Customs of that place whither they come into Port as aforesaid.

XIX. That the Merchants, Masters, Pilots, or Mariners of either Commonwealth, their Ships, Goods, Wares, and Merchandise, shall not be seized or arrested in the Lands, Ports, Havens, and Rivers of the other, by virtue of any general or particular Command, for any warlike or other service, except upon inevitable necessity, and upon just satisfaction for the same, provided that hereby shall not be excluded the Arrests and seizures in the ordinary Way of Law & justice of each Commonwealth respectively.

XX. That the Merchants on both sides their Factors & Servants, as also the Shipmasters and other Seafaring men may as wel traveling and returning by Ships over the Seas and other Waters, as in the Havens of each other, and going on shoar, carry and use for the defence of themselves and their Goods, all sorts of Arms for defence and offence; But being come to their several Lodgings or Inns, they shal lay down their Arms there, and so leave them til they go again to the ship, or on board.

XXI. That the Men of War of either Commonwealth, meeting or overtaking any Merchant ship or ships at Sea, belonging to the other, or to the people or Inhabitants thereof, holding both one course, or going both one way,

shall be bound, so long as they keep one course together, to take them under their protection, and to defend them against all and every that shall attempt upon them.

XXII. That if any Ship or Ships of the People or Inhabitants of either Commonwealth, or of a Neuter, shall be taken in the Havens of either by any third party, being none of the people or Inhabitants of either Commonwealth; They, in or from whose Havens and Liberties the said ships shall be taken, shall be bound together with the other party, to endeavor that the said taken ship or ships may be followed, brought back, and restored to the Owners, but all at the charges of the proprietors or interested.

XXIII. That Searchers and other Officers of that nature, on both parts, shall, in execution of their Offices, regulate themselves according to the Laws of each Commonwealth respectively, and shall not leavy or take more than they are allowed by their Commission or Instructions.

XXIV. That in case any Wrong or injury be done by either Commonwealth, or by the people or Inhabitants thereof, against the people or Inhabitants of the other, either against any the Articles of this Treaty, or against Common right, there shall yet no Letters of Reprizals Mark or Counter-mark, be granted by the one or the other Commonwealth, till first Justice be there sought in the ordinary course of Law; and in case that Justice be there refused or delayed, then, that Demand be made thereof from the supreme power of the Commonwealth, whose People or Inhabitants have suffered wrong, or from such as the supreme power shall depute, to that Commonwealth where Justice is as aforesaid denied, or delaide, or to such power as shall bee by them appointed to receiv such Demands, that all such differences may bee composed amicably, or in the ordinary cours of Law. But if there shall bee yet delay, and that Justice bee not don, nor satisfaction given within three moneths after such Demand made, that then Letters of Reprizall, Marque or Countermarque may bee granted.

XXV. That all persons on either side that shall go out to Sea upon particular Commissions shal bee bound before they take out their Commissions to put in good & sufficient Security by responsible Men not of the Ships Company, before the Judges of the Court whence the said Commission is issued, that they shall do no wrong or injury to the People or Inhabitants of either side.

XXVI. That the People of either side shall have free access to each others Ports and may there stay and thence depart not onely with their Merchants Ships & such as are laden, but also with their ships of War, whether belonging to the State or to such as have obtained particular Commissions, whither they shall arrive either by stress of weather, or to avoid the danger of the Sea, or for repairing their Ships, or for provision of victuals, So bee it they exceed not the number of eight Ships of War when they com in of their own accord, nor that they continue or make stay in the Havens or about the Ports, longer than for the reparation of their Ships, buying in of victuals, or for provision of other necessaries. And whensoever any greater number of Ships of War than is above specified shall have occasion of access into those Ports, then shall it not bee lawful for them to make any entrance, without first obtaining leav for this purpose from those to whom the said Ports belong, Unless they bee constrained by weather or any other force or necessity for avoiding the danger of the Sea. And when it shall so happen, they shall presently make known the caus of their coming to the Governor or chief Magistrate of the place and shall make no

longer stay there then the Governor or Chief Magistrate shall permit, and during their stay in those Ports they shal commit no hostile Act, nor do any thing to the prejudice of the said Ports.

XXVII. That the Lords the States General of the United Provinces shall take care that Justice bee don upon those who were Authors or Abettors of the Murther committed upon the English in *Amboyna*, as the Commonwealth of *England* was pleased to qualifie it, if any of them bee yet alive.

XXVIII. Whereas certain English Ships and Goods have been seized and detained within the Dominions of the King of *Denmark*, since the 18. day of *May* in the year 1652. it is on both sides concluded, accorded and agreed, and the Lords the States General have obliged themselves, as they also do by these presents, That restitution shall bee made of all & singular the English Ships & Goods, detaine as aforesaid, and remaining yet in *specie*; together with the true and just price of such as are sold, imbezled, or otherwise disposed of, within fourteen days after the arrival of the Merchants and Masters interessed therein, or their Assigns, for the receiving of them. And also that Damages bee given for the losses sustained by the English, by reason of the said detention; according to what shall bee arbitrated and awarded by *Edward Winslo, James Russel, John Becc, William Van der Cruyssen*, Arbitrators indifferently chosen, as well on the part of the Lord Protector, as the said States General (the form or instrument of which Arbitration is already agreed upon) to examine and determine the demands of the Merchants, Masters and Owners, to whom the said Ships, Goods, and Damages appertain. Which Arbitrators are to meet at *Gold-smith's-Hall* here in *London*, the 27. of *June* next, old Style, or sooner if it may bee; and shall the same day make solemn Oath before the Judges of the High Court of Admiralty of *England*, that they will proceed without respect or relation had to either State, or any particular Interest whatsoever. And moreover, the foresaid Arbitrators shall from the first day of *August* next, unless they agree upon sentence sooner, bee shut up in a chamber by themselvs, without Fire, Candle, Meat, Drink, or any other Refreshment, till such time as they come to an Agreement concerning the Matters referred to them: And the Sentence which they shall award shall bee obligatory to both Parties. And the States General of the United Provinces do firmly oblige themselvs by these Presents, to execute and perform the same; as also, to pay such sum of Moneys here at *London*, as the said Arbitrators shall adjudg to bee paid, for the use of the said Owners, to such Person or Persons as the Protector shall nominate, within 25. dayes after Adjudication made. And the said States General shal, within two dayes after the Instruments of Ratification of the said Articles of Peace are mutually delivered, pay here at *London* the sum of 5000 li. sterling, towards the Charges of the Merchants, Masters, or their Assigns, for their Journey to *Denmark*, and the sum of 20000. Rix Dollars, to such Persons as His said Highness shall appoint, within six dayes after the arrival of the said Persons there, for the use of the Merchants, Masters and Owners, towards repairing their Ships, and fitting them for Sea. Which said sums shall bee accounted in part of paiment of such sum, as shall be awarded by the said Arbitrators. And that Caution and Security bee given (the form of which Caution is already agreed upon) by sufficient and responsible Men, living here in *London*, and binding themselvs in an Obligation of one hundred and forty thousand pounds sterling (which Obligation is to bee delivered at the same

time with the Instrument of Ratification) that Restitution shall bee made according to the premisses; and that the submission and payment as well of the 20000. Rix Dollars, as of such sum, or other things, as shall bee adjudged and determined, as aforesaid, shall on their part bee duly performed. And if all and singular the Conditions bee not really and effectually performed on the part of the Lords the States General in manner and time aforesaid, then the said Obligation shall be forfeited, & the said sum of one hundred & forty thousand pounds sterling shall be paid to such person and persons as his Highness shall nominate, to the end the losses of the Merchants, Masters and interessed may bee satisfied.

XXIX. *Item,* That whereas certain questions and differences have arisen between the Common wealth of *England* and the King of *Denmark*, by reason of the detention of the Ships and Goods mentioned in the former Article, and the States General of the United Provinces have undertaken the restitution of the said ships and goods, and agreed to give security and caution for the damages in the manner exprest in the former Article; It is agreed and concluded that the same being done and performed, all questions, strifes, wrongs and acts of hostilitie between the said Common-wealth and King, by reason of the said detention, shall cease and be for ever forgotten, in such manner, that the said King with his Kingdoms and Dominions shall, as a friend, bee comprehended and included in this Treaty and Confederation, so as to be restored to the same friendship and alliance with either Common-wealth, in which formerly he was before the said detention, & as if it had never been. As also his Deputies and Ambassadors shall be admitted with like honor as the Deputies and Ambassadors of other States are being friends and Allies.

XXX. *Item,* Agreed, that, at the time of the deliverie of the instruments of Ratification, four Commissioners shall bee nominated on both sides to meet here at *London*, upon the eighteenth day of *May* next old style, who shall bee authorized and impowered, as also by these presents they are authorized and impowered to examin and determin all the losses & injuries which either side alleges to have sustained from the other since the year one thousand six hundred and eleven, unto the eighteenth day of *May*, 1652 old style, as well in the East Indies, as in *Groenland*, *Muscovy*, *Brazeel*, or in any other place: the particulars of all which are to be delivered into the Commissioners nominated as above, before the said eighteenth day of May under this restriction, that after the said day prefixed no new allegations shall bee admitted. And if the above-said Commissioners shall not within three moneths space, to bee accounted from the said eighteenth day of May, come to an agreement, concerning the differences aforesaid delivered in writing and expressed in particular, That in such case the aforesaid differences shall be submitted, as by these presents they are submitted, to the judgment and arbitration of the Protestant Cantons of *Switzerland*, who by an Instrument for this purpose (the form of which is already agreed upon) shall bee desired to take upon them that Arbitration, and appoint like Commissioners impowered and instructed to give final judgment thereupon within six moneths next following after the expiration of the three moneths aforesaid. And whatsoever the said Commissioners or the major part of them, shall award and determin within the said six moneths, shall oblige both parties, and be performed accordingly.

XXXI. It is also agreed, That both Parties shall firmly and truly perform

and observe this present Treaty, and every Article and Thing contained and concluded therein; and shall caus the same to bee performed and observed by their respective People, Subjects and Inhabitants.

XXXII. For better Security that this Peace and Confederation shall bee truly and sincerely performed on the part of the Lords the States General, their People and Subjects, it is agreed and concluded, and the Lords the States General, do by these presents agree and firmly oblige themselvs, that all and singular, Whom, either They the States General, or the States Provincial, shall at any time elect, constitute, or appoint Captain General, Chief Governour, or Stadholder, Commander of their Army or Forces at Land, or Admiral of any of their Fleets, Ships, or Forces at Sea, shall confirm by Oath this Treaty, and all the Matters and Things therein contained, and shall promise by Oath to observe, and as much as in him or them lyes, inviolably to perform and keep the same. And as far as concerns them, command the same to bee performed and put in execution, and take care that they bee performed and executed by others accordingly.

XXXIII. Lastly, it is agreed, That the present Treaty, and all & singular the Matters and Things therein contained & agreed on, shall within fifteen dayes next ensuing, or sooner, if it may bee, be confirmed and ratified in due and authentick form, by the said Lord Protector, and the said States General of the United Provinces by their Letters-Patents under their Great Seals, and that Instruments of Ratification shall bee delivered interchangeably, within the time aforesaid. And furthermore, that this Treaty and Confederation shall immediately after delivery of the Instruments, bee published according to usuall Solemnity, and in the places accustomed; and that all Acts of Hostility shall ceas on both sides from that time.¹

Following the Protector's Commission, March 14, 1654, and the Commission from the States General, Feb. 19, 1654:

In Witness and Testimony whereof, both we the Commissioners of his Highness the Lord Protector, and the Ambassadors Extraordinary of the Lords the States General of the *United Provinces*, by virtue of our respective Commissions, and full Powers, have sign'd the present Treaty with our own Hands, and seal'd it with our Seals Manual. Done at *Westminster* the 5th Day of April, 1654.

HENRY LAURENCE, President, (L.S.)
 JOHN LAMBERT, (L.S.)
 EDWARD MONTAGUE, (L.S.)
 PHILIP LISLE, (L.S.)
 WILLIAM PICKERING, (L.S.)
 WALTER STRICKLAND, (L.S.)
 H. VAN BEVERNINGK, (L.S.)
 WILLIAM NIEUPOORT, (L.S.)
 ALLARD PETER JONGESTAL, (L.S.)²

¹ Coll. of Proclamations (1654), pp. 299-312.

² Collection of Treatys (1732), iii, 67-83. Digest in Jenkinson (1785), i, 44-48, and in Horsley, pp. 50-53. Ratified at Westminster, April 19, 1654; at the Hague, April 22, 1654.

Secret Article

or Declaration of the States of Holland and Westfrieland, whereby they promise Oliver Cromwell, Protector of England, not to chuse the Prince of Orange for their Stadholder, nor to consent that the Post of Captain General be conferred on him.

The States of *Holland* and *Westfrieland* having consider'd and remark'd how it has pleas'd the most High God, according to his Infinite Goodness, to bless the late Treaties of Peace, Union, and Alliance, negotiated between the Republick of *England*, *Scotland*, and *Ireland*, on the one part, and the States of the *United Netherlands*, on the other part, with a happy Issue; and that on the 15th of last Month the same were entirely concluded by the Commissioners of his Serene Highness the Protector of the said Republick, and the Ambassadors Extraordinary of these States, at *Westminster* in *England*, and sign'd and seal'd, and ratify'd, by both Parties: Whereby the States of *Holland* and *Westfrieland*, having a Regard to the earnest and repeated Instances of his aforesaid Serene Highness, for the Confirmation of the foremention'd Treaty, and for making the Peace perpetual; as also to the great Apprehension of his Highness, that whenever the highest Office in these States shou'd happen to be conferr'd upon the Princes of *Orange*, or their Successors, or Descendants of the House of *Stuart*, great Misunderstandings and Jealousies might on several Accounts naturally arise between the two Nations, and consequently the present Treaty between the said Nations might be render'd weak and ineffectual, and a heavy and troublesome War might ensue, as hath been often intimated. And whereas the said States General use all their Endeavours to guard against the abovemention'd Misfortune, and to prevent the farther Effusion of Christian Blood, and particularly to content and satisfy his aforesaid Serene Highness, to the utmost of their Power, concerning their great Care to enjoy the true Effect of the said Treaty; and to make the said Peace perpetual, and mutually advantagous to both Nations, they have, after having maturely consider'd what has been pass'd and transacted, declar'd themselves, and do declare themselves by these Presents, that they think proper never to elect any Prince of *Orange*, or any of their Issue, for their Stadholder, or Admiral of their Provinces; neither will they consent to his being elected so much as Captain-General of the Militia of these Countries: To all which they oblige themselves in the most solemn manner. Given at the *Hague*, under the Great Seal of this Province, the 4th of *May*, 1654.⁸

i(b). A Sentence of Arbitration, pass'd between Oliver Cromwell, Protector of England, on one part, and the Lords the States General of the United Provinces of the Netherlands on the other part, in pursuance of the Treaty of Peace concluded the 5th of April 1654. concerning certain Ships and Effects of the English, that were seiz'd and detain'd in the Dominions of the King of Denmark, ever since the 18th of May 1652. Done at London the 31st of July 1654.

⁸ Collection of Treatys (1732), iii, 87-88. Digest and comment in Jenkinson, i, 48-50, and in Horsley, pp. 53-55. See Harris, *Cromwell*, iii, 356, and Onslow Burrish, *Batavia illustrata* (L., 1731), ii, 530ff.

Whereas by the Peace lately concluded between his Highness the Lord Protector on the one part, and the Lords the States General on the other, it is stipulated in the 28th Article as follows, *viz.* . . . [XXVIII of Treaty]

Which said Article his Serene Highness the abovemention'd Lord Protector, by virtue of his Commission dated the 19th of April last at Westminster, under the Great Seal of the Republick of *England*, and the foremention'd Lords the States General, by virtue of their Commission dated the 22d of the said Month at the *Hague*, under their Great Seal, have ratify'd and confirm'd, and are respectively contented and satisfy'd, and have agreed, to maintain all and every Part and Clause according to the nature and propriety of Contracts establish'd between Princes and Sovereign Powers, and to observe and accomplish the same, truly and faithfully, in all its Branches, without any Excuse, Exception, or Pretext, which might be alledg'd for want of the usual Formalities, and without having recourse to those Subtleties and Punctilios, which are required by Law, but are hereby renounc'd on both sides, in order to make this Article effectual, according to the true intent and meaning of it.

Moreover, his Highness the Lord Protector on his part, and the Lords the States General on theirs, have with one accord nominated and appointed, and do by virtue of their foresaid Commission nominate and appoint us, *Edward Winslow, James Russel, John Bex, and William van der Cruyzen*, their Arbitrators, Commissioners, and Judges, fully authoriz'd (which we accept) to hear, examine, and by all ways and means possible, to determine and pronounce the Award, concerning all and every Grievance and Pretension, of all and singular the Merchants, Gentlemen and others, on account of any Ships, Rigging, Apparel, Provisions, Goods and Merchandise, and all things else under any Denomination whatsoever, belonging to any Subject of *England, Scotland and Ireland*, or the Dominions thereof, which have been seiz'd, detain'd or sequester'd, in any of the Dominions of the King of *Denmark*, since the 18th of May 1652. whereof mention has been made in Memorials seal'd up, and deliver'd by the Merchants in *March 1653.* and in the Year *1654.*

Next, in pursuance of the said Commissions granted to us by his said Serene Highness, and the Lords the States General, we are to assemble on the 27th of June next, O.S. in *Goldsmiths Hall* aforesaid, and take our solemn Oaths, all and every one of us in particular, to hear, examine and determine what is beforemention'd, or any matters thereto belonging, which may have a Reference to either of the two Nations, in pursuance of the Power given us by the said Commissions, without Partiality, Favour, and Affection on either side; and also to renounce all private Views and Interests, which might hinder us from finding the Truth, and from coming to a summary Conclusion; to proceed impartially, to compare jointly the Interests and Damages of all and every Claimant: To which purpose, the Judges of the High Court of Admiralty, by virtue of a Commission granted to them by the Lord Protector, are authorised and appointed to administer the said Oath to us, on the 27th of June, in *Goldsmiths Hall*: After the Administration of which Oath, we are fully impower'd to inquire into and examine all the Heads of Grievances and Pretensions, which shall appear to be represented by the Subjects of the Republick of *England, Scotland, and Ireland*, on account of any Vessel whatsoever, and of all sorts of Merchandise, Goods, or any thing which happen'd to be detain'd, in the

manner aforesaid. Therefore as we shall jointly and severally judge, and find what might be produc'd in exception by the contrary Party on Oath, or without Oath, by Instruments, Documents, or other Proofs, for any Abatement or Payment, we shall be capable to examine, and find out the Truth of all and every one of the said Grievances and Claims, the real Value of the said Ships, Rigging, and every thing to them belonging, the Freight, Provisions, Merchandizes, Goods, &c. as also all and evry Damage occasion'd by the Loss which the said Shipe and Freights sustain'd, by reason of the Detainer. We are moreover authoriz'd and impower'd to proceed to a Liquidation, and Taxation of all such Damages sustain'd, and to give an impartial Estimate, and to pronounce Judgment, and to publish the same under our Hands, as we shall think meet and just; which Sentence, after it has by us been pronounc'd and publish'd, shall not be subject on either side, to any farther Revision, Appeal, or Reclamation.

Accordingly, the said Lords the States General, by virtue of their Commission, bound and oblig'd themselves to conform effectually to our said Sentence, and to pay such Sum of Money as should be demonstrated by us, to be an Equivalent for the said Loss, within twenty five days after our said final Sentence was declar'd and publish'd. In like manner, we the Commissioners are fully impower'd and desir'd, to assemble at *Goldsmiths Hall* aforesaid for the purpose abovemention'd, and after our first Meeting, which was to be on the 27th of June, not to omit any Day, except the Lord's Day, (commonly call'd Sunday) in order to proceed in the Affair aforesaid, but especially not to defer the matters recommended to us, but to carry them to a final Resolution and certain Judgment, or else to break off abruptly. It was furthermore concluded between the Commissioners on the part of the Lord Protector, and those of the States General, that in case we should not agree to come to a final Judgment and Declaration in the matters herein express'd before the first of August next ensuing, we should be lock'd up in a Room at *Goldsmiths Hall*, without Fire, Candle, Victuals or Drink, or any Sustenance, from the said first of August, till such time as we should agree to pronounce Sentence upon the aforesaid matters, and to publish the same under our Hands and Seals; which Confinement shall not render our Award less binding, than if the Sentence had been given before it, in order to confirm all those Intentions, Constructions, and Meanings, which the said Commissioners might form more at large.

In conformity to what is above, be it known by these Presents, that we the aforesaid *Edward Winslow, James Russel, John Bex, and William van der Cruysen*, out of an humble Obedience to the said Article, and to the Commissions therein contain'd, by virtue of the Authority, full Power and Direction given to us, assembled in *Goldsmiths Hall*, and took our solemn Oath before the Commissioners of the High Court of Admiralty of *England*, in such form and manner, as is express'd and directed in the said Article, to be done by us the said Commissioners; and that thereupon we have receiv'd, heard, and examin'd all and singular the Grievances and Claims, of all and every the Merchants, Gentlemen, Masters of Ships, Owners, and all such Persons, Subjects of the Republick of *England, Scotland, and Ireland*, as are concern'd in the said Ships, Rigging, Provisions, Merchandize, Goods, and other things assign'd and belonging to them, which have been seiz'd, and detain'd in the

Lands and Dominions of the King of *Denmark* since the 18th of *May*, 1652. and whereof mention was made in the Memorials and Writings deliver'd by the Merchants concern'd in *March* 1653, and 1654. and exhibited to us, of Ships and all sorts of Merchandise, Goods, or any other things seiz'd and detain'd as aforesaid, and also of all those things which were in general or particular produc'd on the other side, either by way of Defence, or in Abatement, and Payment of the said Grievances and Claims, together with the Proofs of all and singular the said Grievances and Claims, as likewise of the right and true Value of all such Ships, Rigging, Appurtenances, Freight, Provisions, Merchandise, Goods, and Damages, occasion'd as well by the said Seizure and Detainer, as by the Loss and Detriment of the said Goods and Merchandise, or by any other means, by Oath, and by such Instruments, Documents, and other Proofs as we found, and judg'd necessary and equitable; We examin'd, and after mature Deliberation of every thing before us, compar'd one thing with another, clear'd up and tax'd, and at length determin'd, and particularly declar'd and pronounc'd all and singular the Damages aforesaid: Accordingly we the beforenam'd *Edward Winslow, James Russel, John Bex, and William van der Cruysen*, by virtue of the Authority, full Power and Direction given to us in and by the aforesaid Article and Commissions, and for accomplishing what is thereby understood, do by these Presents under our Hand and Seal, determine, decide, and finally pronounce, that the Damages so often mention'd amount to 97973 Pounds and Ten Pence, lawful Money of *England*, as we do hereby liquidate and tax the Damages just now mention'd to be 97973 Pounds and Ten Pence, lawful *English* Money: And we do moreover decide and pronounce, that the said Lords the States General shall pay, or cause to be pay'd, the said Sum of 97973 Pounds and Ten Pence, lawful *English* Money, in *London*, for the use of the respective Owners, to such Person or Persons as his Highness the Lord Protector shall appoint, within twenty five Days after this our Award.

In Witness whereof we the beforenam'd *Edward Winslow, James Russel, John Bex, and William van der Cruysen*, have to the Purpose aforesaid, hereunto set our Hands and Seals, in *Goldsmiths Hall* aforesaid, the 31st of *July*, according to the usual *English* Calculation, Anno 1654.

Indorse.

N.B. That we the Commissioners mention'd in this Instrument do find, that the Sum of 5000 *l. Sterling*, and 20000 *Rixdollars*, amounting together to the Sum of 10000 *l. Sterling*, is paid; which according to the Tenor of the twenty eighth Article of the Treaty of Peace, is to be reckon'd in part of Payment of the Sum by us declar'd, as within mention'd. In witness whereof we have set our Hands, the Day and Year within specify'd.⁴

I(c). Ratification of Agreement with the Dutch regarding the
Thirtieth Article of the Treaty

OLIVARIUS PROTECTOR

Reipublicae Angliae Scotiae et Hiberniae &c. Omnibus et singulis quorum interest aut quomodocunque interesse poterit Salutem. Quoniam nono die Maij

⁴ *Collection of Treatys* (1732), iii, 112-118; summary in Jenkinson, i, 50-51.

Anni Millesimi Sexcentesimij Quinquagesimj Quintj inter Comissarios Nostros ab una et Ordinum Generalium Foederati Belgij Legatum extraordinem ab altera parte speciali auctoritate et potestate munitos ad dirimendum querelas damnorum injuriarumque quas pars una ab altera se pertulisse causatur, Westmonasterij conventum est certo pacto et instrumento prout illud verbo tenus hic infra recitatur insertum. Quoniam Articulo tricesimo foederis nuper initi convenerit inter Serenissimum Dominum Protectorem Reipublicae Angliae Scotiae et Hiberniae et Celsos et potentes Dominos Ordines Generales Foederati Belgij ut Commissarij seu Arbitri nominarentur et constituerentur cum plena et integra potestate et auctoritate examinandi et definiendi omnia illa damna et injurias quas pars una ab altera se pertulisse causatur ab Anno 1611 usque ad 18 Maij 1652 stylo veteri quaeque exhiberi oportuerat ante 18 Maij 1654. Qui tamen dies consentiente parte utraque protractus fuit ad diem tricesimum ejusdem Mensis. Et si praedicti Commissarij de praedictis damnis et injurijs non convenienter intra tres ab illo die menses quod praedictae querelae ad Cantones Protestantes Helvetiae remitterentur qui rogarentur ut Commissarios nominarent et constituerent qui antedictas querelas examinarent et definirent intra sex menses post clapsos priores tres. Et quoniam utriusque Reipublicae Commissarij Londini congregati fuerint receperintque diversas querelas intra praedictum tempus illis traditas et aliquas examinaverint et definiverint expressas in praedictorum Commissariorum laudo et arbitrio sub corundem chirographis et sigillis promulgato 30 Augusti 1654 stylo veteri, et tamen diversae querelae intra praedictum tempus traditae indecisae et indeterminatae remanserint quas juxta praedictum 30 Articulum oportuisset remittere ad praedictos Cantones Protestantes Helvetiae ut per Commissarios ab illis nominandos et constituendos deciderentur. Quae quidem nominatio et constitutio ab illis antedicto tempore sex mensium facta non est. Et tamen necesse sit ut praedictae querelae definiantur et omnes simultates auferantur omnisque umbra dissidiorum in futurum tollatur; Conventum et conclusum est inter Serenissimum Dominum Protectorem et Celsos ac potentes Dominos ordines Generales ut omnes querelae traditae intra tempus praedictum nempe 30 Maij 1654 neque comprehensae et determinatae in ante memorato laudo et arbitrio referantur et submittantur judicio et determinationi antedictorum Commissariorum qui praedictum laudum et arbitrium promulgarunt vel aliorum qui utrinque nominabuntur et constituentur utque illi rursum Amstelodami in Hollandia convenient eadem potestate et auctoritate muniti et instructi ut ante hac utque eodem ordine et modo eademque methodo procedant atque ita omnes omnino querelas praedictas determininent intra tres menses post primum illorum congressum qui erit 20 mensis Julij 1655 et quod publica notitia illius Dici populo utriusque Reipublicae dabitur quodque omnia quae antedicti Commissarij intra praedictos tres menses determinabunt utramque partem obligabunt. In quorum omnium et singulorum fidem et testimonium tam nos Commissarij Celsitudinis suae quam ego Legatus extraordinarius Foederatarum Belgij Provinciarum praesentes has proprijs manibus subscrisimus et sigillis nostris munivimus. Actum Westmonasterij Nono die Maij stylo veteri Anno 1655. Id circa Nos idem Instrumentum supra insertum in omnibus et singulis clausulis et membris vi et vigore hujus Nostri Diplomatis ratum gratum firmumque habemus spondentes et promittentes pro nobis et Successoribus nostris Nos idem

firmiter atque inviolabiliter esse observaturos utque ab omnibus alijs qui sub hujus Reipublicae ditione sunt pariter observetur efficaciter curaturos. In quorum fidem et firmamentum praesentes has propria manu signavimus magnique Angliae Sigilli appendice muniri fecimus. Dabantur Westmonasterij Decimo quinto mensis Junij Anno supra millesimum sexcentesimum quinquagesimo quinto.

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OLIVER^s P.⁵

2. Treaty with Sweden, April 11, 1654

Art. I. That from henceforth there be and remain a good, firm, sincere, and perpetual Peace, Amity, Alliance, and Correspondence between the Protector and Commonwealth of England, Scotland, and Ireland, and the Queen and Kingdom of Sweden, and all and singular their Dominions, Kingdoms, Countries, Provinces, Islands, Plantations, Lands, Cities, Towns, People, Citizens, and generally all their Subjects and Inhabitants, so that each part treat and use the other with all real friendship and affection.

II. The said Confederates, their People, Subjects, and Inhabitants shall, as opportunity is offered, take care of and promote the welfare of each other; and shall advertise each other, upon knowledge thereof, of all imminent dangers, plots, and conspiracies of Enemies against the other; and, as much as in them lies, oppose and hinder the same. Neither shall the one Confederate, either by himself, or any else, treat of, act, or attempt anything to the prejudice and disadvantage of the other, his Lands, or Dominions, in whatsoever place, whether at sea or land; nor shall any way assist the Rebels or Enemies of the other, to the damage of the Confederate, nor receive or entertain within his Dominions any Rebel or Traitor who shall attempt anything against the other's State, much less afford them any counsel, help, or favour, or permit it to be done by any of his Subjects, People, and Inhabitants.

III. The said Protector and Commonwealth, and the said Queen and Kingdom, shall take diligent care, that, as much as in them lies, all impediments and obstacles be removed, which have hitherto interrupted the freedom of navigation, and commerce, as well between both Nations, as with other People and Countries within the Dominions, Lands, Seas, and Rivers of either, and shall sincerely endeavour to assert, maintain, defend, and promote the aforesaid liberty of navigation and commerce, against all the Disturbers thereof, by such ways and means, as either in this present Treaty, or hereafter shall be agreed upon; neither shall they suffer, that either by themselves, their Subjects and People, or through their default, anything be done or committed contrary hereunto.

IV. That either of the aforesaid Confederates, their People and Subjects, may, without any Safe Conduct, Licence, general or special, freely and securely go and enter by land or sea, in and to the Kingdoms, Countries, Provinces, Lands, Islands, Cities, Villages, Towns, whether walled or unwalled, fortified, or otherwise, Havens, and whatsoever Dominions of the other, and there stay and from thence return or pass through; and in the same places, upon just

⁵ The original, with Cromwell's portrait inside the first "O" and the Great Seal at the bottom, is in *Algemeen Rijksarchief, Secr. kas. Eng. no. 92*, in the Hague.

prices to procure, and have provision of victuals, for their use and sustenance, and to be used with all friendly offices; and that either Confederate, their People and Subjects, may trade and have commerce in all places where commerce hath hitherto been exercised, in what goods and merchandises they please, and may freely import and export the same, paying the Customs which are due; and conforming themselves to the Laws and Ordinances of the said Commonwealth and Kingdom, whether the same respect trade or any other right; which presupposed, the People, Subjects, and Inhabitants of both Confederates, shall have and enjoy in each other's Kingdoms, Countries, Lands, and Dominions, as large and ample privileges, relaxations, liberties, and immunitiess, as any other Foreigner at present doth, or hereafter shall enjoy there.

V. No Merchants, Captains, and Masters of Ships, Mariners, nor any Persons, Ships, goods, or merchandise, belonging to either Confederate, shall upon any public or private account, by virtue of any Edict general or special, within any the Lands, Havens, Sea-roads, Coasts, or Dominions of the other, for any public service or expedition of War, or any other cause, much less for any private use, be seized, embarked, arrested, forced by violence or be any way molested or injured; provided only such arrests, as are conformable to justice and equity, be not hereby prohibited, so be it they are made according to the ordinary course of Law, and not granted upon private affection or partiality, but are requisite for the administration of right and justice.

VI. In case any of the Ships of either Confederate whether of War or Merchants, belonging to the Subjects and People of either, be, by occasion of tempests, pursuit of Pirates and Enemies, or any other urgent necessity, constrained to put into each other's Havens, Roads, or Shores, they shall be received there with all kindness and humanity, and enjoy all friendly protection, and be permitted to refresh themselves and procure, at a reasonable price, all things needful for their sustenance, reparation, or use; neither shall they be hindered from going out of the said Ports or Roads, at their pleasure, without paying any Customs or Duties; provided they do nothing contrary to the Laws, Ordinances, and Customs of the place, which the said Ships shall enter into or abide in.

VII. In like manner, if any Ship or Ships, whether public or private, belonging to either Confederate, their People and Subjects, shall, within any the Coasts or Dominions of the other, stick upon the sands, or be forced to lighten their burden, or be wrecked or suffer any damage, all friendly help and relief shall be given them upon a competent reward. And whatever shall be remaining of the goods thrown overboard or after shipwreck, or any other damage sustained, shall be kept in safe custody, and restored to the Owner, or whom the said Owner shall appoint.

VIII. In case the People and Subjects on either part, whether they be Merchants, Factors, or Servants, Masters of Ships, Mariners, or such others, who travel and inhabit within the Dominions of the other, or those who act on their behalf before any Court of Judicature for the recovery of their debts, or for other lawful occasions, shall stand in need of the Magistrate's help, the same shall be readily, and according to the equity of their cause, in friendly manner granted them, and justice shall be administered to them without long and unnecessary delays. Neither shall they be any way molested upon any pretence in the dispatch of their affairs, in their journeying, bargaining, and receiving the

price of their commodities, but that all love and friendship be extended towards them. And it shall be free for them, on both sides, in their passage to and again, in each other's Coasts, Ships, Havens, and public places, to wear about them arms for their proper defence, so be it they give no just suspicion to the Governor or Magistrate of the place, of any design against the public or private Peace. But he especially who behaves and demeans himself soberly and inoffensively, shall be protected from all injury, violence, and molestation.

IX. The said Confederates, and all and singular their People and Subjects, may buy and export out of all the Countries, Dominions, and Kingdoms of the other, all kind of armour and provision of War, and may safely and freely put in with their Ships, and arrive at each other's Ports, Havens, and Shores, and there stay, and thence depart, they carrying themselves peaceably and conformably to the Laws and Customs of the respective places, and not disturbing the freedom of commerce therein. In like manner, the Ships of War shall have free access to the Ports of either, there to stay, and come to anchor; but not in such numbers as shall occasion manifest suspicion, without the leave and consent of that Confederate first obtained to whom the Port belongs, unless compelled thereto by tempest, force, or danger of the Sea, in which case they shall signify to the Governor or Chief Magistrate of the place, the cause of their arrival, and shall continue there no longer than the said Governor or Chief Magistrate shall permit. Observing always and everywhere the Laws aforesaid, and such as shall hereafter be agreed upon.

X. The Subjects and Inhabitants of the Queen and Kingdom of Sweden, may safely and freely travel in England, Scotland, and Ireland, and the Dominions thereof, and pass through the same by sea or land, to any other Nations, freely to traffic and have commerce with them in all sorts of merchandise, and to import and export the same. And the People of the said Commonwealth shall enjoy the same freedom in the Kingdoms, Dominions, and Territories of the Queen and Kingdom of Sweden. Provided the Laws, Ordinances, and particular rights of each Nation concerning trade and commerce be observed on both sides.

XI. Although in the preceding Articles of this present Treaty, it be forbid to either Confederate, to yield any aid or assistance to the Enemies of the other: yet it is not to be so understood as if either Confederate having no War with the Enemies of the other, might not sail to, or traffic with the said Enemies, notwithstanding that the other Confederate be in actual War with them; but it is only provided, that till a more particular agreement be made concerning the matter, no goods called goods of *Contrabanda*, a catalogue and specification of which shall be made within 4 months after the date hereof, shall be carried to the Enemies of each other, without peril, in case they be taken, of being adjudged lawful Prize without hope of restitution.

XII. But lest such navigation and intercourse of the one Confederate, his People and Subjects, by land or sea, with other Nations, during the War of the other Confederate, should redound to the prejudice of the said other Confederate; and lest goods of Enemies should pass concealed under the name of Friends; for the removal of all suspicion and prevention of fraud herein, it is agreed, that all Ships, waggons, wares, and Men, belonging to either Confederate, shall in their passage have Letters of safe conduct, commonly called

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Passports, and Certificates signed by the Governor or Chief Magistrate of the Province or City from whence they come; of which Letters and Certificates such forms shall be observed as shall be mutually concluded upon, within the space of 4 months, next after the date hereof: and wheresoever any the merchandise, goods, Vessels, or Men belonging to either, their People and Subjects, shall be met with either in open Sea or in any Channel, Haven, Road, Land, or any other place by the Ships of War, public or private, or by any of the People, Subjects, and Inhabitants of the other, or shall happen to be in one place with them, they producing their Letters of safe conduct, and Certificates aforesaid, shall have nothing farther exacted of them; no search made either of goods, Vessels, or Men, much less shall they receive any damage, injury, or molestation; but shall be suffered to pass on with freedom to pursue their occasions. And if any of the People and Subjects of either shall do or commit anything contrary to the proper sense of this present Article, either Confederate shall take care that severe punishment be inflicted on the Offenders, and cause full and speedy satisfaction to be made to the Parties wronged, for all costs and damages.

XIII. In case it shall hereafter happen, that during this Amity and Confederation any of the People or Subjects of either shall act or attempt anything against the same or any part thereof, either by land, sea, or other waters, this Amity, Confederation, and Alliance, shall not be thereupon interrupted or broken off, but shall remain and continue still in force and virtue; only in such case, the particular Persons who have offended shall be punished, and no others; and that justice shall be done, and satisfaction made to all Persons injured within 12 months after demand thereof: and in case the Persons so offending as aforesaid shall not appear and submit themselves to justice, and make satisfaction within the said term, the said Persons shall be declared Enemies to both States, and their estates, goods, and effects whatsoever, shall be confiscated and employed to a due and full satisfaction for the wrong by them done; and their persons shall be liable to further punishment when they shall come within the power of either State, as the quality of their offence shall deserve, and that speedy restitution and satisfaction be made for the loss and damage which either part hath sustained from the other, during the War betwixt England and the United Provinces.

XIV. This present Treaty and Confederation shall in nothing derogate from any pre-eminence, right, or dominion of either Confederate within any his own seas, channels, or waters; but that they have and retain the same, in as full and ample manner as they have hitherto had, or as of right belongs to them.

XV. It being the primary intent of this League and Amity that each Confederate, their People and Subjects, might enjoy such freedom of navigation and commerce, as is described in the foregoing Articles, within the Baltic, Sound, Northern, Western, and British Seas, Mediterranean, and Channel, and other the Seas in Europe; therefore all sincere endeavour shall be used on both sides by common advice, aid, and assistance, that the aforesaid mutual liberty of navigation and commerce be established, promoted, and, as occasion is, defended, against all the Disturbers thereof, who shall go about to interrupt, prohibit, hinder, or restrain and limit the same to their own will and pleasure, in prejudice of the said Confederates. And either part shall, with all willingness or readiness, promote the good and prevent the hurt of each other; saving

the Treaties which either Nation hath made with other Kingdoms, Commonwealths and Nations. And neither Confederate shall hereafter make any League or Agreement in prejudice of this Present, with any other People or Nation, without the privity and consent of the other; or if any such Agreement be hereafter made, the same shall be reputed null and void, and give place to this present Treaty. But as for the maner of giving aid and assistance to each other for the defence of this League, and of the liberty of commerce and navigation, a more particular Agreement, as need shall require, shall be made thereupon, accommodated to the circumstances of time and other affairs.

XVI. For what concerns other commodities, which Ships of War may enjoy, and the Laws by which they shall regulate themselves when they arrive in each other's Ports and Harbours; and for what concerns commerce to be exercised in America, as also the advantages of the herring and other Fisheries, the erecting staples for trade, and other things and conditions, which shall be found requisite for the better clearing of the foregoing Articles, resolution shall be had therein according to what shall be agreed upon in a distinct and peculiar Treaty or Contract.

XVII. Whatever is agreed on in the foregoing Articles shall be in force and virtue from this present time, and be truly observed on both sides by all such as are within each other's allegiance. And for the further confirmation thereof, shall be subscribed, signed and ratified by the Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, in the name of His Highness, and the said Commonwealth, and by Her Majesty of Sweden, under the Hand-writing and Seals of Their said Highness and Majesty within 4 months next ensuing the date of these Presents.

Done at Upsal, the 11th of April, 1654.⁶

3. *Treaty with Portugal, July 10/20, 1654*

Art. I. That there shall be a good, true, and firm Peace between the Republic of England and the Most Serene King of Portugal, and between the Countries, Territories, Kingdoms, Dominions, and Principalities under their respective Governments, and their People, Subjects, and Inhabitants, of whatsoever condition, rank, and dignity, not only by land, but on the sea, rivers, and fresh waters; in such manner that their said People and Subjects shall behave to each other with favour and assistance, mutual love, and honest affection; and that neither of the said Parties, or their People, Subjects, or Inhabitants, shall commit or attempt anything against the other, in any place, either by land or sea, or in the Harbours or Rivers of either, nor shall consent or adhere to any War, Counsel, or Treaty, to the damage of the other, nor receive or harbour the Rebels or Fugitives of either, in any of the other's Territories, Kingdoms, Dominions, Ports or Borders.

II. That there shall be a free commerce between the Republic of England and the King of Portugal, and their People, Subjects, and Inhabitants, as well by land as on the sea, rivers, and fresh waters, in all and singular the Countries, Lands, Dominions, Territories, Provinces, Islands, Colonies, Cities, Towns,

⁶ *British and Foreign State Papers, 1812-1814*, i, pt. i, 691-6. Text also in *Collection of Treatys* (1732), iii, 89-97, and in Geo. Chalmers, *Coll. of Treaties* (L., 1790), i, 20-29. Summary in Jenkinson, i, 69-70, and Horsley, pp. 69-70.

Villages, Ports, and Borders, where commerce was heretofore, or is at this time carried on, in such manner that the People, Subjects, and Inhabitants of either, may, without any Safe-conduct or other general or special Licence, pass by land and sea, by rivers and fresh waters, to the aforesaid Dominions and Kingdoms, all their Cities, Towns, Harbours, Shores, Bays and Places, and enter the same with carriages, horses, packs and Vessels, laden or unladen, there to import, sell and buy merchandise, and at a reasonable price to procure victuals, and what necessaries they want for their stay and voyage, to refit their Ships and carriages, whether their own or such as are hired or lent, and with the same liberty to depart from thence with their goods, merchandise, and all other things whatsoever, either to their own or Foreign Countries, as they think fit, and without any hindrance; saving nevertheless all the Laws and Statutes of each place.

III. That the People and Inhabitants of this Republic shall be at liberty to buy up all sorts of wares, goods, and merchandise, and the same to use and enjoy in the Kingdoms, Provinces, Territories, and Islands of the King of Portugal, at the first sale, either in parcels, or to whatsoever number and size, when and wheresoever they please; neither shall they be compelled to purchase them either of Forestallers or Monopolists, nor shall they be circumscribed to a set price: they may also, at discretion, sell, traffic, and freely transport any sort of goods, wares, and merchandise whatsoever, from the said Kingdoms and Dominions, paying only the Customs and Consul's fees due for the goods exported, as they were paid the 10th of March, O.S., and 20th N.S., in the year 1653, according to the English computation. But as to purchases and sales by the negotiation of Brokers, the said People of this Republic shall enjoy and use the same liberties, privileges and exemptions as the Portuguese themselves, and they shall be as well used at public sales and contracts, as the Natives and Countrymen, notwithstanding any former judicial determinations; and all privileges and immunities granted to the English at any time heretofore, by all or any of the Kings of Portugal, shall be confirmed by an Edict, to the end that the People and Inhabitants of the said Republic may enjoy them, together with all other privileges and immunities, which now are, or hereafter shall be granted to any Nation, Kingdom, or Republic, in alliance with the said King of Portugal.

IV. That as often as the People and Inhabitants of this Republic arrive with their Ships, at any of the Harbours of the Kingdom of Portugal, the said People and Inhabitants shall not be compelled, in the least, by the said King's Ministers, Officers and Subjects, to load or put on board their Ships any other species or quantities of goods and merchandise, than what they think fit; and while they stay there, only 2 Officers or Waiters, at most, shall be placed upon their Ships; nor shall there be any fruitless delay in the unlading them. And if the said Ships and Vessels laden with dry goods, are not unladen within 10 days after their entrance into Port, and those laden with fish and provisions, within 15 days, they shall not be obliged to pay any stipend, sum of money, or other reward, to the said Officers or Waiters, nor shall they pay anything more than for the said 10 and 15 days respectively.

V. If the Subjects of the Most Serene King of Portugal, or others, within the Kingdoms and Government of the said King, or their goods and mer-

chandise, are seized, stopped, and detained by the Office of the Court of Inquisition, or the Judges or Ministers thereof, or by the King's Exchequer, and it so happen that they owe, or shall owe, any money, to any of the People of this Republic, the said debts shall be paid entirely out of the said goods and merchandise, within 6 months next after the said attachment or seizure, without hindrance or molestation from the said Court, or its Judges or Ministers; but if among the said goods and merchandise so attached and seized, there remain any goods and merchandise of the said People and Inhabitants in specie, the same shall immediately be restored to them.

VI. That the Captains, Masters, Officers, and Mariners of the Ships of this Republic, or of any of its People, shall not sue or in any wise molest the said Ships or People of this Republic, within the Kingdoms and Government of the King of Portugal, on account of their stipend or salary, on pretence that they profess the Romish religion; nor shall they, under this or any other pretext, engage in the service of the King of Portugal, or in any other manner separate from the other Ships in their company; and if they offend in this point, an account shall be taken of their names, and they shall be compelled by the Magistrates and Officers of the place to return to the Ships; and if they cannot be found it shall be lawful for the Master of such Ship or Vessel to detain their clothes, goods, or wages for the repair of damages.

VII. That the Consuls who shall reside hereafter in any part of the Dominions of Portugal, for the assistance and protection of the People of this Republic, shall be nominated and fixed by the said Lord Protector, and when so nominated, shall obtain and exercise the same authority as any Consul of this or any other Nation whatsoever, doth now or shall hereafter exercise in the Dominions of the said King, although they do not profess the Romish religion. Also, for judging all Causes which shall relate to the People of this Republic, a Judge Conservator shall be deputed, from whom no Appeal shall be granted, unless to a Committee of Senators, where the disputes shall be determined within the space of 4 months, at most, after the Appeals.

VIII. That if any of the People of this Republic depart this life within the Kingdoms and Dominions of the Most Serene King of Portugal, the books, accounts, goods and merchandise of him or them shall not be seized nor possessed by the Judges of the Orphans and Persons absent, or by their Ministers or Officers, nor shall be liable to their jurisdiction; but the said goods, merchandise, and accounts, shall be delivered up to those English Factors or Attornies residing on the spot, who are nominated or deputed by the Deceased; but if the Defunct, whilst living, nominated none, then the said goods, merchandise, and accounts shall, by the authority of the Judge Conservator, be delivered to 2 or more English Merchants, who shall be chosen by the majority of the Merchants residing in the place, and approved by the English Consul, after having given security by proper Bondsmen, who shall be approved by the Consul, for restoring the said goods, merchandise, and accounts, to the lawful Owners, or their true Creditors. And the goods which shall appear to have been the Deceased's, shall be delivered to his Heirs, Executors, or Creditors.

IX. That neither the King of Portugal, nor any of his Ministers, shall detain, arrest, or attach any Merchants, Masters of Ships, Captains, or Mariners, or their Ships, merchandise or other goods, which belong to this Republic, or

any of its People, either for War, or any other use whatsoever, unless the Lord Protector, or those to whom such Ships and goods appertain, are first apprized thereof, and give their consent; but that the said Ships, Men and goods, shall, at their own pleasure, have free liberty to depart from the Harbours and Dominions of the said King, without any hindrance from His said Majesty, or any of his Ministers: and that the sale of the merchandise and goods of the People of this Republic shall not be hindered or delayed, under pretence that the King has occasion for them, or for any other reason whatsoever; nor shall they be diverted to the King's use, or to any other uses whatever, without the consent of those concerned.

X. That the People of the Republic of England may freely export in their Ships all goods, wares and things, of what kind soever, even arms, provision, or the like, from the Harbours and Dominions of the said Republic, or any other Harbours and Dominions whatever, provided they are not exported immediately from the Harbours and Dominions of Portugal to any Ports and Territories whatsoever of the King of Castile; and that neither the Most Serene King of Portugal, nor his Subjects, shall hinder the said Ships, goods, or Men, by seizures, reprisals, or any other cause whatsoever, from navigating securely to the Harbours and Territories of the said King of Castile, and from trafficking therein; and that the People of this Republic may freely import arms, corn, fish, and all other sorts of merchandise, into the Kingdoms, Ports, and Territories of the King of Portugal, and the same sell at pleasure, either in parcels or in bulk, to whatsoever Chapman, and for whatever price they can get; and shall not be prohibited, circumscribed, or restrained by His said Royal Majesty or his Ministers, Governors, Farmers of the Customs, or Monopolists, or by any Chamber or jurisdiction whatsoever, of any Court, public or private; and that the goods or merchandise, after paying the Customs or Imposts in such of His Majesty's Harbour, wheresoever they are, shall be freely transported into any other Ports or places whatsoever of His said Majesty, without paying any other or farther Custom, Duty, or sum of money, besides what the Portuguese Merchants should pay if the goods and merchandise belonged to them.

XI. That the People and Inhabitants of the Republic of England shall trade and traffic freely and safely from Portugal to Brazil and the other conquests of the said King in the West Indies, and from Brazil and the said conquests to Portugal, in all sorts of goods and merchandise whatsoever, (except meal, fish, wine, oil, and Brazil wood, which are prohibited by the King, in pursuance of a Contract with the Brazil Company,) paying the Dues and Customs which others pay who trade into those Countries, and provided that the English Ships hired by the Portuguese sail in company with the Portuguese Fleet, and that the said People and Inhabitants arriving from any of the Dominions of the said King whatsoever, shall not be compelled to unlade their Ships, or to export any goods belonging to the English; but the Officers of the Customs shall cause the goods, while they are a-board the Ships, to be weighed, to the end that the Customs and Dues may be paid for them; and that no heavier Duty or Impost, nor greater sum of money, or expense, shall be demanded or paid to the King's Officers, than if the goods were exposed a-shore; nor shall there be any delay in dispatching and dismissing the said Ships. And after they are arrived at any other Dominions of the said King whatsoever, having paid the Customs and

Duties above-mentioned, they shall freely proceed to any other Harbour or place whatsoever; and the goods put on board the English Ships, either by the Subjects of the said King, or by others, to be transported to any part whatsoever of the Dominions of the said King, shall by no means pay greater Customs, or any different Duties, than if they were put on board Portuguese Ships. And likewise, that the People and Inhabitants of the Republic of England shall have the liberty of navigating to the Colonies, Islands, Countries, Harbours, Districts, Towns, Villages, and Staples, belonging to the King of Portugal, in the East Indies, Guinea, Binney, the Island of St. Thomas, and elsewhere, on the coasts and shores, and there to reside, negotiate, and traffic by land or sea, on the rivers or fresh waters, in any goods and merchandise whatsoever; and to transport all kind of merchandise, to any place or Country, with the same freedom as formerly, and the same that was ever granted by any Treaty heretofore, or shall hereafter be granted, to the Inhabitants of any other Nation, in alliance and friendship with that Crown. But as to the Customs and Duties to be paid in those Countries, they shall not pay more or greater than those which are paid by any Person or Persons trading in any of the said places or Countries. And also, that the King of Portugal or his Subjects, as well the Brazil Company as all others, as often as they have need of Foreign Ships for trade and navigation to Brazil, or the Coasts and Islands above-mentioned, or elsewhere, shall hire the Ships of this Republic and its Subjects at the usual and ordinary rates, and no other Ships of any Prince or Republic, provided that the number of the English Ships be sufficient for their purposes, excepting that the Brazil Company, as is set forth in the Charter of their liberties, granted to them by the King's Letters Patent, may hire of what Nation soever they please, 2 Ships to be fitted out as Convoys, and 4 others to be sent with fish to Brazil, and that as well the Brazil Company as all other the Subjects of the said King, who follow merchandise, shall freely, without any Licence, general or special, first obtained, hire as many English Ships as they please, and sail therein to Brazil, and the other conquests of the said King in the West Indies; and that whatever Stipend shall be agreed on for lading and stay, the same shall run on and be placed to the reckoning, till the whole is paid, though it exceed what was bargained for the time.

XII. That whereas the Most Serene King of Portugal, by his Rescript, sealed with his Seal, and dated at Lisbon, the 21st day of January, in the year of our Lord 1641, granted to the Inhabitants of the Lands under the Dominion of the States of Holland, free liberty of importing and exporting all sorts of merchandise from his Kingdoms, Dominions, and Territories: the People of the Republic of England shall use and enjoy the same liberty in the Kingdoms and Dominions of the King of Portugal.

XIII. That no Alcaid, as he is commonly called, nor other Officer of the King's Majesty, shall arrest or impeach any of the People of this Republic, of what rank or condition soever, except in a criminal cause, where he is apprehended in the fact, unless he be first empowered in writing by the Judge Conservator; and that the People aforesaid, in other respects, as to their bodies, dwellings, books of accounts, interests, merchandise, and goods, shall enjoy equal and the same immunity within the Dominions of the Most Serene King of Portugal, from imprisonment, arrests, and other molestations whatsoever, as

is, or hereafter shall be granted to any other Prince and People whatsoever, in alliance with the King of Portugal; nor shall they be hindered by any Safe Conduct or Protection, to be granted by his authority to the Subjects of the said King, or others frequenting his Dominions, from recovering their debts; but they shall have a right to sue every Man to justice for the recovery of any just debt, whatever be his Protection or Passport, be he a Farmer of the revenue, or any other privileged Person, by whatsoever Charter secured.

XIV. And forasmuch as the rights of commerce and peace would be null and void, if the People of the Republic of England should be disturbed for conscience sake, while they pass to and from the Kingdome and Dominions of the said King of Portugal, or reside there for the sake of exchanging their wares; that commerce may therefore be free and secure, both by land and sea, the said King of Portugal shall effectually take care and provide that they be not molested by any Person, Court, or Tribunal, for any English Bibles or other books which they may have in their custody, or make use of; and that it shall be free for the People of this Republic to observe and profess their own religion in private houses, together with their Families, within any of the Dominions of the said King of Portugal whatsoever; and the same to exercise on board their Ships and Vessels, as they shall think fit, without any trouble or hindrance; and finally, that a place be allotted them fit for the burial of their dead. Provided, nevertheless, that the English do not exceed what is written in this Article.

XV. If it shall happen hereafter that any controversies and doubts arise between the said Nations, which may endanger the interruption of commerce between them, Public notice shall be given to their People and Subjects of both Parties, through all the Kingdoms and Provinces of both; and the space of 2 years, after such notice, allowed for transporting their persons, goods, ships, wares, and substance whatsoever, without any molestation, impediment, or damage offered, in the mean time, to their persons or goods: and it shall be lawful for the said People and Subjects, on both sides, to whom any debts were owing at the time of such Public notice, legally to demand the same within the said 2 years, in the Places and Dominions where they are owing, and afterwards justice shall be done them speedily and effectually, so that such Creditors may be able to obtain their own within the time prescribed.

XVI. If it shall happen, that while this Treaty, friendship, and intercourse are subsisting, anything be committed or attempted by any of the People or Inhabitants of either of the said Parties, contrary to this Treaty, or any part thereof, by land or sea, on the rivers and fresh waters, the said friendship and intercourse betwixt these Nations shall not therefore be interrupted nor infringed, but shall, nevertheless, remain entire and in full force, and those only who violate the said Treaty shall be punished, and none else; and justice shall be done, and satisfaction given to all those concerned, by all those who, by land, sea, rivers, or fresh waters, shall act anything contrary to this Treaty, in any part of Europe, or elsewhere, within the Straits of Gibraltar, either in America, or along the Coasts of Africa, or in any of the lands, islands, seas, arms of the sea, bays, rivers, or in any places on this side of the Cape of Good Hope, within the space of a year after justice shall be demanded; and in all places as above, beyond the said Cape, within 18 months after justice be re-

quired, in the manner above-mentioned. And if the Violators of the Treaty do not appear, nor surrender themselves to trial, nor give satisfaction within this or the other space of time now limited, according to the distance of the place, they shall be deemed as the Enemies of both Parties, and their goods, substance, and revenues whatsoever, shall be set to public auction, and sold to make full and just satisfaction for those injuries which they have suffered from them; and the Offenders, when they happen to be in the power of either Party, shall be liable to those punishments which their respective crimes deserve.

XVII. If any controversy should arise between the said King's Inspectors, Officers, or Ministers, and the said Merchants, concerning the goodness of the fish, or any other sort of provisions whatsoever, which shall be brought to any of the said King's Dominions, the same shall be decided by the arbitration of good Men, provided they be not Portuguese, who shall be fairly chosen by the Magistrate of the place, and the Consul of the English Nation; and shall so determine the matter, that no detriment happen to the Owner in the mean time, while the matter is in dispute.

XVIII. It shall be lawful for the People or Subjects of either Party to enter the Ports of the other, there to reside, and thence to depart with equal liberty, not only with Merchant Ships and Transports, but also with Men-of-War, Guard Ships, and Convoys, whether they are driven thither by storm, or come in for refitting their Ships, or for victualling them; provided they do not exceed the number of 6 Men-of-War, if they chance to come there of their own accord; nor shall they stay or continue longer in the Ports, or upon the Coasts, than is necessary for refitting their Ships or procuring any necessaries, lest they should give occasion for interrupting the commerce of other Nations which are united by friendship and alliance: and if at any time any unusual number of Ships should come to such Ports by chance, it shall not be lawful for them to enter without a Power first granted by those in whose jurisdiction the Harbours shall be, unless they are driven in against their will, by stress of weather, or other urgent necessity, for avoiding the danger of the sea and shipwreck; in which case they shall immediately notify the reason of their coming thither to the Governor or Chief Magistrate of the place; nor shall they stay there longer than they are allowed by such Governor or Chief Magistrate, nor commit any hostility in those Harbours which may be detrimental to the said Republic or King.

XIX. That neither the said Republic nor King shall suffer the Ships and goods of either of their People, which shall at any time be taken by the Enemies or Rebels of the other, and carried to any Ports or places of the other's Territories or Dominions, to be conveyed away from the Owners or Proprietors; but the same shall be restored to them or their Attornies, provided they lay claim to such Ships and goods before they are sold and cleared, and either prove their right, or exhibit testimonies of their property in them, within 3 months after the said Ships and goods are so carried off; and in the meantime the Proprietors shall pay and discharge the necessary expenses for the preservation and custody of the said Ships and goods.

XX. That the People and Inhabitants of the Republic of England, who frequent the Kingdoms, Dominions, and Countries, of the said King, for the sake of traffic, or who arrive at his Harbours with their Ships, shall not pay for

tonnage, anchorage, or other expenses of the Harbours, any other Customs, or sums of money, besides those usually paid to the King, or the Chamber of Lisbon; and if any other ill Custom has crept in, it shall not be regarded hereafter.

XXI. That no Tribute shall be demanded from any of the People of this Republic, either in Lisbon or in any other place, to be paid to the Chapel of St. George, nor shall they be compelled to perform any duties in person, or to wear any sort of Arms, or to furnish others therewith.

XXII. That the Merchants of either of the Parties aforesaid, and their Factors, Servants, Families, Brokers, and other Officers, Pilots, and Masters of Ships, and Seamen, shall securely and freely pass up and down in the Dominions, Territories, and Countries of the said Republic and King, as also in their Harbours, and on their shores; and the People and Subjects of the one shall have and hold dwelling houses of their own, in any of the Dominions of the other, wherein they may reside, together with warehouses for laying up their goods and merchandise, as long as they hire the same, without molestation from any Person. They shall also be at liberty to wear swords, and to carry arms with them, both offensive and defensive, according to the manner and custom of the place, for the better security of their persons and goods.

XXIII. That all goods and merchandise of the said Republic or King, or of their People or Subjects, found on board the Ships of the Enemies of either, shall be made Prize, together with the Ships, and confiscated to the Public; but all the goods and merchandise of the Enemies of either, on board the Ships of either, or their People or Subjects, shall remain untouched.

XXIV. That all just Debts owing to the English, by the King of Portugal, on account of merchandise taken or bought, or of Ships laden, either before or after putting their goods in sequestration to this time, shall be paid and discharged within 2 years next following; and that all recognizances, bonds, and suretyships entered into by the English, on account of any Ships formerly laden by the King of Portugal, or any of his Subjects, bound to the coasts of Brazil or Angola, and afterwards detained in any of His Majesty's Harbours, or seized and occupied by Prince Rupert, or Prince Maurice, or hindered in anywise by the said King, and any of his Officers or Ministers, from a capacity of performing their Contracts, shall from this time be cancelled, rescinded, and made void; and that neither their Persons, nor their Ships or goods, shall be put under arrest, or in anywise molested, by the said King, or any of his Subjects, on account and by reason of the said Contracts.

XXV. Also, whereas there was a Convention between the late Parliament, and an Ambassador Extraordinary from the King of Portugal, and the said Ambassador, in the 2nd of the 6 Preliminary Articles which were agreed to on the 29th December, 1651/11th January, 1652, obliged himself that all the Ships, monies, goods, and debts, appertaining to any Englishman whomsoever, which were taken and detained in any of the Dominions whatsoever of the King of Portugal, should immediately be freely restored in specie, provided they were of the same value and goodness as when they were at first detained, and if not, that the value should be restored; or if they proved worse by being detained, that then satisfaction should be given for them according to their true value when they were first detained. And as to the compensation of the

damages, the Council having declared them, by their Charter of the 15th of November, 1652, and it appearing from the said Declaration, that they had not resolved to insist upon and demand a strict reparation, but only as far as was agreeable to justice and reason; and whereas the said Ambassador, to witness his inclination to peace, bound himself on this supposition, that the losses should be repaired; and whereas in the 5th of the said Preliminaries, the said Ambassador engaged farther, that all the Ships and goods of the English, which are brought into Portugal by the Princes Rupert and Maurice, or by any Ship whatsoever under their command, and there disposed of, or still remaining, or brought back from thence by others, or by their command, should be presently restored to the Owners and Proprietors, or that reparation and satisfaction should be given to them. And because some controversies are now remaining concerning the demands of Merchants and others, respecting satisfaction; to the end that all such demands and complaints may be fairly and justly decided and determined, it is agreed and concluded on both sides, that the said demands on account of losses shall be referred to arbitration for satisfaction, as they are by these Presents referred to the judgment and award of Dr. Walter Walker, John Crowther, Dr. Jeronymus a Sylva, Secretary of the Embassy, and Francis Ferreira Rabello, Agent in the affairs of the said Embassy, Persons chosen indifferently, as well on the part of the King of Portugal as of the Lord Protector; who by these Presents are made and constituted Procurators, Arbitrators, and Judges, to hear, examine, and determine all and singular the demands and complaints of all and singular the Merchants, Masters of Ships, and others, who claim a right to all or any of the Ships, monies, debts, merchandises, or goods whatsoever, mentioned in the said Preliminary Articles; which Arbitrators shall meet and sit at London, on the 20th day of July next, O.S., and shall take a solemn Oath on that day, before the Judges of the High Court of Admiralty of England, that they will renounce all favour and respect to either Party, and all private interest, in judging of the matters to them referred; and by these Presents they are instructed and authorized to call for any Persons whatsoever, and to command such Depositions and Papers to be laid before them, as shall have any relation to the affair to them referred. And they shall particularly inquire into the truth of all such demands and complaints, whether given in upon Oath or not; as also all and singular the losses suffered by the said arrests and detainers. And the said Arbitrators are authorized by these Presents to define each of the premises, and to liquidate, and adjudge, and finally to determine the losses, as they or the major part of them shall think fair and just in their consciences and reason, and to publish their final Sentence under their Hands; which Sentence, so published, shall bind and oblige both Parties, without any appeal, revisal, or contradiction whatsoever. And the said King binds himself effectually to perform and observe the same, in all its Members and Articles; as also to pay, or cause to be paid, such sum or sums of money as shall be adjudged as aforesaid. And furthermore it is agreed, that if the said Arbitrators do not agree and finally determine of and concerning the premises to them referred, before the 1st of September next, O.S., then the said demands so undetermined or undecided by the said Arbitrators shall be submitted, as they are by these Presents submitted, to such Member of the Lord Protector's Privy Council as the said Lord Protector shall nominate, within any

time whatsoever after the 1st of September next. To which end, the said Lord Protector shall grant his Full Powers to such Person so nominated, in order to determine finally of and concerning all and singular the demands aforesaid. And if, before the pronunciation of Sentence by the said Privy Councillor, any Papers should come from Portugal, or any Proctor to plead Causes thereupon, the said Councillor shall hear him anew; and whatever Sentence shall be given by such Person so instructed, under his Hand and Seal, shall conclude and bind both Parties, and the same shall be duly performed and accomplished. And for the greater security that such sum of money as is adjudged by the said Arbitrators or Arbitrator may be honestly paid, it is agreed and concluded, that one moiety of the Subsidies and Customs of Portugal, arising from all the goods and merchandise whatsoever of the Inhabitants and People of this Republic, who traffic in Portugal, shall immediately after the date of this Treaty be appropriated to the payment: which moiety shall be paid, from time to time, to such Person as the Lord Protector shall appoint, for and towards the reparation of the losses of the Merchants, Masters of the Ships, and Owners.

XXVI. It is also agreed and concluded, that no other League or Confederacy whatsoever, made or to be made, by the Most Serene Lords the Protector of England and the King of Portugal, with any other Princes or Republics whatsoever, shall derogate from the present Treaty of Peace and Alliance, but that the Peace and Confederacy shall be kept entire, and always in full force.

XXVII. It is also agreed and concluded, that both Parties shall truly and firmly observe and put in execution the present Treaty and all and every Article and Articles therein contained and comprehended, and cause the same to be observed and effectually performed by the People, Subjects, and Inhabitants of each respectively.

XXVIII. It is also agreed and concluded that the present Treaty, and all and every point and points therein contained and concluded, shall, within 6 months next ensuing, be confirmed and ratified by the said Lord Protector, and the King, by the Letters Patent of both Parties, sealed with the Great Seal, in a due and authentic form; and within the said term, mutual Instruments shall be delivered on both sides, and the said Peace and Confederacy shall be proclaimed in the usual forms and places, immediately after the delivery and exchange of the Instruments.

In witness and testimony of all which, we, the Commissioners of His Highness the Lord Protector, and the Ambassadors Extraordinary of the Most Serene King, by virtue of our respective Commissions and Full Powers, have signed the present Treaty with our own Hands, and sealed it with our Seals.

Done at Westminster, the 10/20th day of July, in the year 1654.

(L.S.) NATH. FIENNES.

(L.S.) WALT. STRICKLAND

Secret Article

The People and Inhabitants of the Commonwealth of England, following their commerce, as aforesaid, within the Kingdoms, Dominions, Ports, and Territories of the said King, shall not pay any Customs or Duties but in the manner following; that is to say, the goods, merchandises, and manufactures of

the English, in setting rates, according to which they are to pay their Customs (which shall never exceed 23 per cent.) shall be favourably valued according to the rates of the Custom-house, and the ancient Laws of the Realm; and if at any time it be designed to raise them higher, because the true and real value of the said goods is increased, it shall not be done but in the presence and by the advice of 2 English Merchants, then residing in Portugal, and chosen by the English Consul; and if it shall happen that the price of commodities shall fall, the value or rate shall, in like manner, from time to time be abated, according to the said rule and Law: and if any controversy shall happen to arise about the said valuation, that doubt shall be determined by such indifferent Arbitrators as shall be chosen by the Consul of the English Nation, and the Officers of the Custom-house. The Subjects and Inhabitants of the said Kingdom, trading in the Dominions and Territories of the said Commonwealth, shall pay the present Customs and Duties as they are now valued in the month of May, 1654, according to the Laws and Customs of the place: and likewise they shall on both sides observe the Laws and Customs of each place. And thus it was agreed upon and concluded, that the above said Article, and everything contained therein, shall be confirmed and ratified by the said King, and by the said Lord Protector, by the Letters Patent of the one and the other Party, sealed with the Great Seal, in due and authentic form, within 6 months next following: and within the said time Instruments shall be passed or exchanged by the one and the other Party.

In faith and testimony whereof, we, the Commissioners of His Highness the Lord Protector, as well as the Commissioner of the said Most Serene King, by the force and virtue of our respective Commissions, the aforesaid Secret Article have signed with our Hands, and to the same have affixed our usual Seals.

Done at Westminster, the 10/20th day of July, 1654.

(L.S.) NATH. FIENNES.

(L.S.) WALT. STRICKLAND.⁷

4. Treaty with Denmark, September 15, 1654

Whereas the most Serene and Potent Prince and Lord, the Lord *Frederick III.* by the Grace of God, King of *Denmark, Norway*, the *Vandals* and the *Goths*, Duke of *Sleswic, Holstein, Stormar, and Ditmarsh*, Earl of *Oldenburg* and *Delmenhorst*, considering the many great ties of Friendship and Alliances, by which the *Danish* and *English* Nations have been engag'd to each other for so many Ages past, and how convenient and necessary it is in every respect, that this Friendship and Confederacy shou'd be corroborated and increas'd by farther reciprocal Offices of Friendship, did for that end send the noble Lord *Henry Williamson Rosenwinge*, Governor of the Monastery of *Drake Mar-*

⁷ *British and Foreign State Papers*, 1812-1814, i, pt. i, 480-92; text except for secret article in *Collection of Treatys* (1732), iii, 97-111. Copies in *Stowe MSS.* 192, ff. 1, 21; Eng. trans. in *ibid.*, f. 35. In *Receuil des Traitez de Paix*, iii, 655-9, from Aitzema, viii, 134. See also Dumont, *Corps Diplomatique*, vi, pt. ii, 82; Godwin, iv, 49-56; Prestage, *Diplomatic Relations of Portugal with England*, pp. 132-4. A Puttick and Simpson catalogue (1851) lists a treaty with the King of Portugal, signed twice by Cromwell and dated Sept. 27, —.

chiensis, and his Extraordinary Deputy to the most Screne Lord Oliver the Protector, and to the Republick of *England*, *Scotland*, and *Ireland*, who, out of a Desire and Affection to concur to the same purpose, and to remove every Impediment which might obstruct the Preservation of a sincere and mutual Friendship, and in any wise hinder the promoting of Commerce on both sides, has been pleas'd to give it in charge to us the underwritten Privy Counsellors of his Highness, to treat with the said Lord Deputy; and by virtue of our Commissions exhibited on both sides, and several Conferences held from one time to another, we have at length agreed and concluded the following Articles.

I. That from this Day, there shall be a firm, entire and sincere Friendship, Peace and Confederacy, as well by Land as by Sea, and on the Rivers, between the King and Kingdom of *Denmark* and *Norway*, and the Protector and Republick of *England*, *Scotland*, and *Ireland*, and the Dominions, Countrys, and Citys under both their Dominions, and the People, Inhabitants, and Subjects of each, of what Rank and Dignity soever they be; so that neither Party shall by themselves or others, do any thing directly or indirectly, or, as far as lies in their power, suffer any thing to be done, to the Loss or Detriment of the other, but the one shall assist the other with all good Offices, and promote the Advantage and Benefit of the other to their utmost.

II. That there shall be a Trade, Navigation, and free Commerce between the Subjects of the King of *Denmark* and *Norway*, and the People of the Republick of *England*, in the Kingdoms, Dominions, Countrys, Provinces, Emporiums, and Harbours of either, according to the Regulation which is hereafter more clearly explain'd. And the Magistrates, and other Governors and Officers of Places, shall use their greatest Diligence that the same may be us'd and enjoy'd on both sides, freely and securely, without any Lett or Moles-tation.

III. The People, Subjects, and Inhabitants of both the Confederates, of whatsoever Degree or Condition, shall treat one another in all things courteously and amicably, so that whenever they please, they may have free Access by Land or Water to each other's Countrys, Territorys, towns wall'd or unwall'd, fortify'd or not fortify'd, Harbours and Dominions; and there, without any Impediment, buy what Provisions they want for their Use, excepting those Colonys, Islands, Harbours and Places under the Jurisdiction of either, to which Navigation or Trade is prohibited, without special Leave or License first obtain'd from the other Party to which such Colonys, Islands, Harbours and Places belong. But in all other Places, it shall be entirely free for both Nations to trade and traffick in whatsoever Merchandise they shall think fit, and the same to carry, sell or export when and whither they please; provided they pay the Customs, and saving all the Laws and Statutes of either's Dominions.

IV. That all Offences, Disputes and Controversys arisen between the King of *Denmark*, and the Republick of *England*, or done and committed by either Party, or the People and Subjects of either, by reason, or on account of the detaining of any *English* Ships, together with their Lading, in the *Sound*, since the 18th of *September* 1652, shall, by virtue of this Treaty, cease, and be condemn'd to perpetual Oblivion, in such manner, that neither of the said Partys shall prosecute, or in any wise molest the other on account of such Detainer, or for any Injurys and Damages thereby occasion'd. Provided never-

theless, and be it understood, that this Article shall not extend, nor be construed to extend to the rescinding or weakening of that Contract in the 28th and 29th Articles of the late Treaty of Peace, between his Highness the Lord Protector, and the Lords the States General of the *United Provinces*, for restoring the Ships therein mention'd, together with their Lading, and making good the Damages as therein express'd; but the said Contract shall remain firm and intire, and shall be duly and truly perform'd and fulfill'd, according to the proper and genuine Sense and Meaning of the said Articles.

V. That neither of the said Partys, nor the Subjects or People of either, shall by Land or Sea, or elsewhere, act, do, endeavour, negotiate, or attempt any thing against the other, or the Subjects and People of the other, nor give, lend, administer, or consent to the giving, lending, or administring of any Assistance or Favour to the Fugitives or Rebels of the other; but both Partys shall expressly and effectually oppose, resist, and really hinder all and every Person and Persons living or residing in the Dominions of either, or happening to be in the Dominions of either the one or the other, who shall act, do, negotiate or attempt any thing against the other. Nor shall either of the Partys receive or suffer any of the Rebels or Fugitives of the other, to be receiv'd in their Dominions, Territorys, and Countrys, Harbours, Bays, or Districts; nor shall give, lend or grant to any such Fugitives or Rebels, either within or without their Territorys, Lordships, Lands, Harbours, Bays, or Districts, any Aid, Counsel, Lodging, Money, Soldiers, Ships, Provisions, Arms, &c. or permit or tolerate such things to be given, lent or granted, by any Persons whatsoever, living out of their Dominions.

VI. That the People or Inhabitants of the Republick of *England*, sailing to any of the Kingdoms, Territorys or Dominions whatsoever, of the King of *Denmark* and *Norway*, or trading to the same, shall not pay more or greater Customs, Tribute, Toll, or other Dutys, or in any other manner, than the People of the *United Provinces* of the *Netherlands*, or other Foreigners (the *Swedes* only excepted) trading thither, and paying the lesser Customs, do or shall pay; and they shall enjoy all the other Libertys, Immunitys, and Privileges, in going, returning, and staying; as also in Fishing or Trading, as the People of any foreign Nation whatsoever, trading in the said Kingdoms and Dominions of the King of *Denmark* and *Norway*, do or shall enjoy; and the Subjects of the King of *Denmark* and *Norway*, shall use or enjoy the same Privileges, in all the Dominions and Countrys of the Republick of *England*.

VII. If the Subjects and Inhabitants of either of the Confederates, with their Ships, are compell'd either by Pirates, or by Stress of Weather, or by any other Inconveniency to seek shelter in the Rivers, Friths, Bays or Harbours of the other Confederate, 'tis agreed that they shall be courteously and kindly treated by the Magistracy and Inhabitants of the Place; and it shall be lawful for them to furnish themselves with what Necessarys they want for rigging their Ships, at the Market-price, and from thence freely to put to Sea again, without any Hindrance and Search, and without paying any Toll or Custom. Provided they put none of their Goods or Bales ashore, or expose them to Sale, nor receive on board any Persons guilty or suspected of Crimes, or any Contraband Goods; nor, in fine, do any thing that may be repugnant to the Laws, Statutes, or Customs of such Place and Harbour to which they arrive.

VIII. If the Ships of either of the Confederates, his Subjects and Inhabitants, whether they are Men of War or Merchant Ships, happen to run ashore, or in any case whatsoever (which God forbid) to suffer Wreck on the Coasts of the other Party, the said Ships, with all their Rigging, Goods and Merchandise, or whatsoever shall be left of them, shall be restor'd to the Masters and Proprietors, provided they or their Plenipotentiarys or Attorneys lay claim to the said Ships and Goods within a year after such Shipwreck happens; and the Subjects or Inhabitants living on such Shores and Coasts, shall be oblig'd to give present succour and relief to those that are in Danger, to the utmost of their Power, and shall use all their endeavour either to set the Ship free, or to save her Goods, Merchandise, Rigging, and every thing else in their Power from being cast away, and convey the same to a safe Place, that they may be restor'd to the Owners, on condition that they pay the Charges, and such Rewards as they shall deserve, by whose Labour and Diligence the Things and Goods were recover'd and secur'd.

IX. Both Partys shall cause Justice and Equity to be administer'd to one another's People and Subjects, according to the Laws and Statutes of each Country, speedily, and without tedious and unnecessary Formalitys and Expences, in all Causes and Controversys now depending, or that may arise hereafter.

X. That if any thing shall happen to be done, or attempted, by any of the Subjects and Inhabitants of the King of *Denmark*, or of the People and Inhabitants of the Republick of *England*, contrary to this Treaty, or any Member thereof, by Land, Sea, or the Fresh Waters, this Alliance, Friendship and Union between the Partys aforesaid, shall not therefore be interrupted, or infring'd, but shall nevertheless remain intire, and be in full Force, and those Persons only who shall act contrary to the said Treaty shall be punish'd, and none other; and Justice shall be done, and Satisfaction given to those whom it concerns by all those, who by Land, Sea, or other Waters, act any thing contrary to this Alliance, within the Space of a year after Justice shall be demanded. But if the Breakers of the Treaty do not appear, nor surrender themselves to Trial, nor give Satisfaction within the Term mention'd, those very Persons shall be deem'd Enemys to both the Partys; and as far as the Laws and Statutes of every Country and Place will permit and authorize, all their Goods, Estates, and Revenues whatsoever, shall be confiscated and sold to make full and just Satisfaction for the Injuries by them committed, and their Persons shall be liable to those Punishments which their respective Crimes deserve.

XI. 'Tis also agreed and concluded, that the Ships of the Inhabitants of the Republick of *England*, together with their Lading and Merchandise, which sail beyond the Fort of *Gluckstadt*, or any other Places and Towns under the Dominion of the King of *Denmark*, situate on the Bank of the River *Elbe*, shall, both going and returning, be free and exempt from all Tribute, Toll, Search, Stoppage, or Molestation.

XII. That Firs, Masts, and the other sorts of Timber, after they are put on board the Ships of the Inhabitants of the Republick of *England*, shall be subject to no farther Visitation, but all Visitation or Search shall be made beforehand; and if there be then found any prohibited Timber, the same shall be stopp'd on the Spot, before 'tis carry'd on board the Ships. Nor shall the Persons or

Goods of the People of the said Republick be for this cause arrested, or in any wise molested by being in any manner detain'd; and only the Subjects of the King of *Denmark*, who shall presume to sell and alienate such prohibited Timber, shall be duly punish'd for the Offence.

XIII. For the greater Security of Commerce, and the Liberty of Navigation 'tis agreed and concluded, that neither Party shall, if it be in their power, permit common Pirates, or other Robbers of this sort to harbour in any Parts of the other's Kingdom or Country, nor shall suffer any of the Inhabitants or People of the other, to receive or assist them in reality, or by countenance, but on the contrary, shall do their Endeavour that the said Pirates or Robbers, and their piratical Partners and Accomplices, be apprehended and brought to condign Punishment; and that the Ships and the Merchandize, as much of it as can be found, be restor'd to their lawful Owners, or their Attorneys, provided their Right appear from due Proofs according to Law in the proper Courts.

XIV. 'Tis agreed that there shall be always free Access for the Subjects and People of either of the Partys to the Harbours and Coasts of the other Confederate, and it shall be lawful for them to stay therein, and to return from thence, not only with Merchant Ships, and Ships of Burthen, but also with Men of War, whether they are Ships of the State, or such as are privately commission'd, whether they are drove in by stress of Weather, or for avoiding the Danger of the Sea, whether to repair their Ships, or to buy Provisions. Provided they don't exceed the number of six Men of War, if they enter of their own accord, nor stay longer in or about the Harbours than shall be needful for the Repair of the Ships, buying Provisions, or for other necessary Occasions. And if upon occasion they shall offer to go to such Ports with a greater Number of Men of War, it shall not by any means be lawful for them so to do, without notice given in time by Letters of their Arrival, and without Leave first obtain'd from those to whom the said Harbours shall belong. But if by Stress of Weather, or other urgent Necessity, they are compell'd to seek Harbour, in such case, without any Token or Notice preceding, the Ships shall not be restrain'd to any certain number; on condition, nevertheless, that their Commander, immediately after their Arrival, do certify the chief Magistrate or Commander of the Place, Fort or Coast to which they arrive, of the Reason of his coming, and that he stay there no longer than he shall be suffer'd by the chief Magistrate or Commander, and do neither commit nor attempt any Hostility in the Harbours which he enters, nor do any thing in prejudice of that Confederate to whom they belong.

XV. If either of the Confederates shall think it of Service to himself or his Subjects to appoint Deputys, Residents, Commissioners, or other Ministers of whatsoever Title or Character, to manage their Affairs in the Courts or Tribunals of the other, 'tis agreed and concluded, that the said Ministers shall be favourably admitted, according to the Credentials which they bring, and be receiv'd with fitting respect and Honour, and shall be under the Protection of the other Confederate, and safe from all manner of Injury and Violence. Provided they do not commit, or attempt any thing to the Loss and Prejudice of the Confederate to whom they are sent.

XVI. Whereas since the 26th of April 1654, and the first of June 1646, certain Treatys and Alliances were enter'd into concerning Customs in the

Sound, and other things, between the most Serene King of *Denmark* of glorious Memory, and the States of *England* at that time assembled in Parliament, 'tis agreed and concluded, that the said Treatys and Alliances shall not in any wise by the present Treaty be deem'd to be set aside or repealed, but remain in their former Force and Vigour, as well on the part of his most Serene Royal Majesty now reigning, as on the part of the most High Lord Protector of the Republick of *England*; who both bind themselves again by the vigor and virtue of this present Treaty, to perform the said Treatys reciprocally and really, and that they will take care that the same, and every one of their Articles be perform'd, and effectually obsrv'd, according to their true and proper Meaning, by their Subjects and People.

XVII. Finally, 'tis agreed and concluded, that both Partys shall sincerely and *bona fide* observe all and singular the Articles contain'd and establish'd in the present Treaty and Alliance, and cause them to be observ'd by all the Subjects, Inhabitants, and People of the most Serene King of *Denmark* and *Norway*, and of the Republick of *England*, universally; and that they shall not contravene, or cause them to be contraven'd, directly or indirectly; and shall confirm and ratify all and singular the Contents in sufficient and valid form, subscrib'd with their Hands, and seal'd with their Great Seals; and shall *bona fide* and really deliver, or cause the same to be deliver'd reciprocally to Deputys appointed for that purpose, within the space of three Months, or sooner, if possible.

In Witness of all and singular the Premises, I the Deputy Extraordinary of the most Serene and Potent King of *Denmark* and *Norway*, and we the Counsellors and Commissioners of his most Serene Highness the Lord Protector of the Republick of *England*, *Scotland* and *Ireland*, have with our Hands and Seals sign'd and seal'd the present Treaty, consisting of seventeen Articles. Done at *Westminster*, Sept. 15, 1654.⁸

5. Treaty with France, October 24/November 3, 1655

Whereas for some time past the good Understanding and Freedom of Commerce betwixt *England* and *France* had been interrupted, and *Lewis XIV.* the most Christian King of *France* and *Navarre*, sent his Ambassador the Lord *de Bordeaux* Knight, Lord *de Neufville*, Privy Counsellor, Master of the Requests, President of his Grand Council, &c. to *England*, as Ambassador for restoring of both, and gave him full and absolute Power to enter into any Treaty whatsoever, necessary for that end: And also the most Serene and Potent Lord Protector of the Republick of *England*, *Scotland* and *Ireland*, for promoting so holy a Work, deputed Commissioners to treat with the said Lord Ambassador; upon which a Treaty was at length agreed on by both Partys, consisting of the following Articles.

I. That from this time there shall be a firm Peace, Friendship, Society, and League between the Republick of *England*, *Scotland* and *Ireland* &c. and the Kingdom of *France*, and also between all the Lands, Dominions, Cities, and

⁸ Collection of Treatys (1732), iii, 136-43; also in Chalmers, i, 65-73. Summary in Jenkinson, i, 75-77, and Horsley, pp. 73-75. Ratified Oct. 1, 1654, by Frederick III, Feb. 20, 1654-5 by Cromwell (47th Rept. Dep. Keeper Pub. Records, App. p. 65).

Places which are under the Protection and Dominion of either; and that the People and Subjects of both Nations may safely and freely frequent each other's Harbours and Stations, and travel thro' the Citys as they think fit without any Damage or Injury; nay, that the Judges and Officers of those Places shall take care that they be rather favour'd every where, and that all manner of Justice be done to them.

II. Neither Party shall directly or indirectly aid or assist such as are now, or shall hereafter be declar'd their Rebels, Enemys or Adherents. And if either Party shall henceforward make a Peace or Truce with such as are now their declar'd Enemys, that Party which shall make such Peace or Truce, shall not give, lend, or administer any Aid or Assistance to the said Enemys or their Adherents, against the other.

III. Also that all manner of Hostilitys, as well by Land as by Sea, and the fresh Waters, shall henceforwards cease on both sides; and all Patents or Commissions, Letters of Marque or Reprisal, that have been given and granted by either State to their People and Subjects, or to any other Person whatsoever, against the said Kingdom or Republick; or any of the People and Subjects whomsoever of either, shall be revok'd and made void; and whatsoever shall be taken under any Pretext after fourteen days next ensyng the Publication of this present Treaty, shall be well and truly restor'd. And if any Prize whatsoever be taken, or any Damage whatsoever done by the People, Subjects, and Inhabitants of either, to the prejudice of the present Treaty, or contrary to common Justice, yet no Letters of Marque or Reprisal shall be granted before Justice is demanded. And if it be delay'd or deny'd, that State, or its Ambassadors and Ministers, whose Subjects have sustain'd the Loss, shall require the same to be administer'd; and if within the space of three Months after such Demand, they don't obtain legal Satisfaction, then it shall be lawful to grant such Letters of Marque or Reprisal, which however shall not be executed indifferently upon the Goods, Ships or Persons that are in the Harbours and Stations, but upon those only who have committted the Crime.

IV. That Commerce shall be intirely free betwixt the Republick of *England* and Kingdom of *France*, and their People and Subjects by Land, by Sea, and on the fresh Waters, thro' all and singular the Countrys, Dominions, Territories, Provinces, Citys, Towns, Villages, and all other Places throughout *Europe*, where Commerce and Trade us'd to be exercis'd; so that without any Letters of Safe Conduct, or Application for any general or special License whatsoever, the People of the said Republick, and the Subjects of his said Majesty, shall freely pass and repass by Land, Sea, or on the fresh Waters, to the said Countrys, Kingdoms, and Dominions, and to all the Citys, Harbours, Shores, Stations, Streights, and to enter all the Places and Harbours of either, with their Ships laden or unladen, Carriages, Beasts of Draught or Burden, with which Merchandizes are carry'd, and may there buy and sell what they please, paying only the Market-price in such Places for such Necessarys as they want, either for their Provision or their Journey, and, as occasion shall require, to rig their Ships, and repair their Carriages: and it shall be equally free for them to return to their own Country, or to go to any other places at their own Discretion with their Merchandise, Goods, or any other Effects whatsoever, without Molestation, provided they pay the due Customs and Port-Dutys to

the other Party, and a proper Regard in like manner to all the Laws and Statutes of the other's Dominion.

V. 'Tis also agreed and concluded, that the People and Inhabitants of the said Republick of *England, Scotland and Ireland*, and all the Dominions thereof, may freely import all the Manufactures of Wool and Silk, which are carry'd on in *England, Scotland and Ireland*, and the said Dominions thereof, into all the Harbours, Citys, or Towns whatsoever of the *French* Dominions, and therein sell the same, without incurring any Forfeiture thereof, or Penalty for the same, any Law, Edict, Decree, Statute, or whatever else to the contrary notwithstanding. Provided nevertheless, that the Regulation stipulated in the 13th Article of the Treaty between *James King of Great Britain and Henry IV. King of France and Navarre*, Anno 1606, concerning Cloths that are ill made, shall be kept and observ'd: and that the Subjects of his Majesty shall freely import into all the Harbours, Citys and Towns whatsoever of the said Republick, and therein sell all Wines of the Product of *France*, and all Manufactures of Wool and Silk, made or to be made in the Kingdom of *France*, or the Dominions thereof, without being liable to any Forfeiture thereof, or any Penalty for the same, any Law or Statute, or any thing to the contrary whatsoever notwithstanding; and that as well the Subjects of his Majesty, as those of the said Republick, shall be kindly treated and enjoy the same Privileges on both sides as other Foreigners.

VI. That to the intent that the Customs, Port-Dutys, and Imposts may be known to either Party, and that the Merchants may be certain what they ought of Right to pay in the said Republick and Kingdom, Tables of the late Customs and Dutys shall be made and fix'd up in the publick Places, as well at *London*, and other Citys of the Republick of *England*, as at *Roan*, and other Citys of *France*, according as need shall require; to which Tables any one may have recourse, as often as any Controversy shall arise about such Customs, Port-Dutys, and Imposts.

VII. Because certain Tributes, Imposts and Privileges are demanded and claim'd by some Citys and Places, as due to them and their Inhabitants from the Subjects of either Confederate, 'tis agreed that the Magistrates and Officers of every City shall take care that no greater Taxes or Imposts be demanded than what are legal.

VIII. And whereas in some Harbours of *England and France* a certain Custom, founded upon no Law, has obtain'd, that every one shall pay a certain Tax, call'd Head-mony, for Ingress and Egress, 'tis agreed that hereafter the said Tax shall not be demanded, but that all Persons, of whatsoever Rank or Condition, shall have free Ingress and Egress, without being compell'd to pay any thing on that account, and that Foreigners shall be treated in this and other cases on the same footing with the Natives.

IX. 'Tis also agreed on both sides, that the *French* Merchants trading in *England*, shall not be compell'd to give any Security, besides their Oath, for the Sale of their Merchandise, and bartering the Produce thereof for other Goods, nor to procure any longer Time or Discharge; nor shall they on that account be liable to any other Expences than the Natives of the Place.

X. That the *French* Ships may come to the Key of *London*, and the other Ports of *England, Scotland and Ireland*, and other Places in their Dominions,

and there take in their Lading without any Molestation, nor shall they be compell'd to put their Lading aboard other Ships; and that the *English* Ships shall, with the like Freedom, and without any Molestation or Impediment, enter into any of the Harbours of *France* whatsoever, and use and enjoy the same Privileges and Immunitys as the *French* Ships do in *England*: and in all other things an Equality and Freedom of Commerce shall be kept up and observ'd as far as possible.

XI. That the Merchant Ships of this Republick, and its People and Inhabitants, which sail to *Bourdeaux*, or enter the *Garonne* in their Voyage, shall not be compell'd to take out their Guns, Arms, or Military Stores at the Castle of *Blaye*; and in like manner the People and Inhabitants of the said Kingdom shall not be liable to any Impediment of that sort in any Harbours whatsoever of *England*, *Scotland* and *Ireland*; and the same shall be observ'd in all the Ports of *France* towards the People and Inhabitants of the said Republick: and that the People, Subjects and Inhabitants of the one Party shall enjoy the like and as ample Privileges and Immunitys in the Kingdoms, Dominions, and Territorys of the other, in the Courts of Justice and Maritime Causes, as the People of every foreign Nation in Alliance and Friendship with them, either now do, or hereafter shall enjoy.

XII. To the end that Commerce may be more promoted between the Subjects and People of both Nations, 'tis agreed that the Merchants and other People of the Republick of *England* aforesaid, shall freely make their Wills, and according to their own Discretion dispose of their Merchandise, Plate, Money, Houshold-stuff, Debts, and all Moveables, which they possess'd, or ought to have possess'd when living, or at the time of their Death, in any part of his Majesty's Dominions, either by Donation, or Testament, or any other Disposition, either during the time of Sickness, or at any time before; and that whether they die, having made their Wills or Intestate, their Heirs or Executors, whether nam'd or not nam'd in their Wills, or otherwise, shall lawfully enjoy those Goods according to the Laws of *England*, in whatsoever part of *France* they dy'd: so that what is commonly call'd *Droit d'Aubaine*, shall not hinder them, nor shall their Goods by virtue thereof be forfeited; and that the Subjects of his said Majesty shall use and enjoy the same Liberty and Privilege throughout the aforesaid Dominions of the Republick of *England*. Provided nevertheless, and be it understood, that the Wills, and the Right of entring upon the Inheritance of Persons Intestate, shall be prov'd according to Law, as well by the Subjects of the said King, as by the People of the said Republick, in those Places where each Person dy'd, whether it happened in *France*, or in the said Republick.

XIII. That the Inhabitants of the Islands of *Jersey* and *Guernsey*, shall enjoy the same Privileges and Immunitys in *France*, as the *French* do in those Islands, paying the Customs and Imposts on both sides.

XIV. To the intent that Ships may not be so often seized hereafter, and that those who travel by Sea may be protected from Injuries, 'tis agreed that the Commanders or Masters of all Ships of Force, which belong to the People of either, and which sail from the Harbours or Shores of either, shall before they weigh Anchor, give sufficient Security by competent Persons who are not of the Ship's Company, amounting to double the value of the Ship, her Cargo

and Rigging, before the Judges of the Court of Admiralty, or other Magistrates of those Places from whence they are bound, that they will behave well at Sea, and that they will not seize nor keep possession of the People or Subjects of either, nor their Goods, Ships or Vessels, nor in any other respect hinder or injure them; and that if the Judges of the Admiralty, or other Magistrates aforesaid, shall neglect to take Security, or accept such as is not competent, they themselves shall be responsible for all the Damages.

XV. That till such time as there is a possibility of making a more certain and absolute Stipulation for removing the Evils and Inconveniences which may happen at Sea, 'tis agreed that for the Space of four years next ensuing the Ratification of the present Treaty, all Ships belonging to the Subjects and People on both sides, and trading to the *Mediterranean*, the Eastern Sea, or the Ocean, shall be free, together with their Cargoes, altho' they have Merchandise on board, even Corn or Pulse, which are for the use of the Enemys of either; excepting nevertheless such Goods as are forbidden and contraband, as Gunpowder, Muskets or Iron Barrels, and all sorts of Arms, Ammunition, Horses, and Military Furniture: nor shall they transport or carry any Men to the use of the Enemys of either, in which case both the Ships, and the Military Furniture, and the Merchandise shall be deem'd lawful Prize. And the same shall be executed with Severity upon those, who shall bring any Men, Corn or Provisions to any places whatsoever, besieg'd by either of the Partys.

XVI. That both Parties shall expressly admonish the Admirals and Commanders of their Fleets, and all other their Sea-Captains whatsoever, either carrying their Flags, or bearing Commissions from them, or acting in their Service, not to seize, take, or in any manner to hinder or injure the Ships, Vessels, Goods, or Merchandise of the People or Subjects of the other, but that they diligently observe this Treaty and Convention; and that they who contravene it shall make Atonement to the Party whom it concerns, by suffering corporal Punishment according to the nature of the Offence, and, if possible, repair the Injury done; but at least that the Confederate to whom the Offenders appertain shall satisfy and repair the Damage within three Months after he knows it, and Satisfaction is demanded; and that Men of War meeting the Merchant-Ships of either Party shall protect them, as far as they happen to steer the same Course, against all who intend them any Violence.

XVII. That if the Commanders of any Ships of either Party, or of their People, shall take any Prize at Sea, within twenty four hours after they are carry'd into Port, they shall deliver all the Books of Accompts, Papers, Caskets, and Bills of Lading, which they shall find in those Ships, to the Judges of the Admiralty, to the intent the Person concerned may make Copy's thereof; and where there shall be no Judge of the Admiralty, the said Papers and Books shall be committed to the Officers of those Places, who shall send the same seal'd up to the Judges of the Admiralty; during which the Mariners on board those Ships shall not be taken out, nor any Part of the Cargo touch'd, or any of the Goods set ashore, unless it be done by the Authority of the Court of Admiralty, and the Envoyce shall be copy'd in the presence of those whom it concerns, who shall also have a Copy of the said Envoyce from the Judge.

XVIII. That the Commanders and Masters of those Ships which take Prizes at Sea shall not carry away the Captain, Master, or any Mate, or Mariner, unless for the sake of examining them. And in that case they shall

not take above two or three, who shall be carry'd within the space of 24 hours to the Judge of the Admiralty; or if none happens to be there, they shall be carry'd before the Magistrate or Officers of the Place, who shall examine them: and after the space of Time aforesaid such Judge or Magistrate shall dismiss them freely every one to their own Business, and the Contravener shall suffer corporal Punishment.

XIX. That neither of the Confederates shall receive any Pirates or Robbers into any of their Ports, Havens, Citys or Towns; nor shall they permit them to be receiv'd by their People or Inhabitants, or to be harbour'd, assisted or supported, but shall use their Endeavour that such Pirates and Robbers, and their Piratical Accomplices, Partners and Assistants, shall be pursued, apprehended and punish'd, as they deserve, for a Terror to others; and that all Ships, Goods and Merchandize piratically taken from them and brought into the Ports of either Confederate, as much as can be found thereof, altho they have been already sold to others, shall be restored to the right Owners; or that Satisfaction shall be made either to their Owners, or to those who shall lay claim to the same by virtue of Letters of Attorney; provided the Owner's Right appear, from due Proofs according to Law in the Court of Admiralty. And that whatever Goods shall be recover'd by them shall be carry'd into the Harbours of the other Confederate, and be deliver'd to the Custody of the Officers of the said Port, who shall be liable to the Peril of being responsible for the same, if the said Goods are not restor'd without Delay to their Owners, after Proof first made of the true Property thereof before the Judges of those Places where the Goods so taken were put on board the Ship: nevertheless the Persons accused shall be allow'd to try their Right by Law, and to plead their own Cause.

XX. That neither of the said Partys shall suffer or permit the Ships or Goods of the other Party, which shall happen at any time to be taken by the Rebels of the other Party, under colour or by virtue of any Commission whatsoever, and carry'd into the Ports, Havens or Places of the other's Dominion, to be alienated from the right Owners; but that the same shall be restor'd to them or their Attorneys, after Proof made of the right Owner according to Law. And till such time as the Proprietors or their Attorneys reclaim them, the Officers of those Places whither the Ship, Goods and Merchandize shall be carry'd, shall detain and lay them up safe, so that no part of them be lost or embezzled.

XXI. That if the People or Subjects of either of the Confederates be forc'd by tempestuous Weather, by the Fear of Enemys, or other Dangers of the Sea, to enter into the Ports of the other, or to cast Anchor there, it shall be free for them to depart, nor shall they pay Duty for any Merchandize imported or exported. Provided that they do not take out or sell any of their Goods, and that they give notice of their Arrival and the Cause of it, as soon as they come, to the Magistrate and Officers of the Place; and as soon as they are freed from the Apprehension of the Danger that drove them in, they shall depart out of the Harbour.

XXII. That the People and Inhabitants of the said Republick shall freely and securely sail and traffick to all the Kingdoms, Dominions, and Territorys, which cultivate Peace, Friendship, or Neutrality with the said Republick, without being molested by the Ships or Subjects of the said King, altho there shou'd happen to be some Enmity and Hostility between the said King and

those Kingdoms, Dominions, or Territorys. And the same shall likewise be observ'd on the part of the said Republick to the Subjects and Inhabitants of *France*. Provided no such Trade be carry'd on to any Port or Town, which is besieg'd by either of the Confederates, and that neither Party, nor the People or Subjects of either shall import prohibited and contraband Goods to those Kingdoms, Dominions or Territorys, which are at Enmity and carry on Hostilitys against the other: And that the 15th Article concerning prohibited and contraband Goods, and Towns and Places besieg'd, shall be kept and observ'd on both sides.

XXIII. That both Partys shall take care that Justice be render'd expeditiously and incorruptibly, according to the Rules of Law and Equity, to the Subjects or People of one another, in all Causes either at present depending, or those which hereafter shall depend in one another's Dominions and Territorys; and that all Sentences and preceding Conventions, which either Party, or the People and Subjects of either, have obtain'd or enter'd into for their own Advantage in the Lands of either, may be ratify'd; and that in the prosecution thereof Justice may be done with Dispatch, but not to the Inconveniency of those who sue for their Right.

XXIV. And whereas since the Year 1640 many Prizes have been taken at Sea, and both Nations, their People and Subjects, have suffer'd many Losses, 'tis agreed that three Commissioners shall be appointed on both sides immediately after the Ratification of the present Treaty, who shall be sufficiently authoriz'd to consider, examine, estimate and explain such Prizes and Losses, and to determine and decree the Compensation, Payment and Satisfaction for them, according to the Demands which shall be produc'd and exhibited before them by either Party, their People and Subjects, within three Months to be reckon'd after the Publication of this Treaty: for which purpose the Commissioners shall meet in the City of *London*, within six Weeks after the said Publication, and, if possible, shall determine the said Controversys within five Months next ensuing; but if the said Commissioners shall not agree within the space of six Months and a Fortnight, then the said Controversys, which remain undetermin'd, shall be referr'd, as they are by these Presents referr'd, to the Arbitration of the Republick of *Hamburgh*, to be decided within four Months, to be computed from the Expiration of the aforesaid space of Time limited by the Commissioners. And that the said Republick of *Hamburgh* shall be desir'd, as it is by these Presents desir'd, to assume that Arbitration, and to delegate Commissioners to give Judgment concerning the Premises, in such convenient place as by the said Commissioners shall be appointed; and whatsoever shall be determin'd by the said Arbitrators or Commissioners shall bind both Partys, and be perform'd *bonâ fide* within six Months next ensuing. Provided nevertheless, that if neither the said Commissioners appointed by both Partys, nor the said Arbitrators do not determine the said Controversys within the time prescrib'd, no body shall on that account be put to any Trouble; nor shall the old Letters of Marque be restor'd to their full Force, nor other new ones granted within the Space of four Months after the Expiration of those four Months, which are prescrib'd to the City of *Hamburgh* for the Determination of the said Controversys.

XXV. And whereas three Forts, viz. *Pentacoet*, *St. Jau*, and *Port Royal*, lately taken in *America*, together with the Goods therein found, wou'd be re-

claim'd by the abovemention'd Lord Ambassador of his said Majesty, and the Lords Commissioners of his Highness wou'd argue from certain Reasons that they ought to be detain'd, 'tis agreed that such Controversy shall be refer'd, as it is by these Presents refer'd to the same Commissioners and Arbitrators, to be determin'd in the same manner and time, as the Losses sustain'd by both Partys since the Year 1640, and referr'd to in the last Article.

XXVI. For the better promoting of Commerce on both sides 'tis concluded, that if a War shou'd break out between the said Republick and the said Kingdom, six Months space after the Proclamation of War shall be granted to the Merchants, in the Citys and Towns where they live, for selling and transporting their Goods and Merchandise; and if any thing be taken from them, or any Injury be done them within that Term by either Party, or the People or Subjects of either, full Satisfaction shall be given them.

XXVII. And if it happen that while this Treaty, Friendship and Union subsists, any thing be done or attempted contrary to this Treaty, or any Member of it, by any of the People or Inhabitants of either Party, by Sea, by Land, or on the fresh Waters, this Friendship, League and Union between these Nations shall not therefore be infring'd, but shall nevertheless continue entire and in full force. Only they who break the said Treaty shall be punish'd, and none else; and Justice shall be done and Satisfaction given to all those whom it concerns, by all those, who by Land, Sea, or on the fresh Waters, act any thing contrary to this Treaty, within the space of a Year after Justice shall be demanded. But if the Breakers of the League don't appear, nor surrender themselves to Trial, nor give Satisfaction within the Term prescrib'd, they shall be deem'd Enemys to both Partys, and their Estates shall be confiscated and sold, to make due Satisfaction for the Injurys by them committed: and moreover, when their Persons happen to be in the power of either Party, they shall be liable to those Punishments which their respective Crimes deserve.

XXVIII. 'Tis also agreed and concluded, that the present Treaty, and all and singular the things therein contain'd and comprehended, shall be confirm'd and ratify'd by Letters Patent of both Partys, seal'd with the Great Seal in due and authentick Form, within a Fortnight next ensuing, or sooner if possible; and that reciprocal Instruments shall within the said Term be exchang'd on both sides, and the present Treaty and Confederacy immediately after the Delivery and Exchange of the Instruments, shall be proclaim'd in the usual Form and Place.

'Tis agreed and concluded on both sides, that the High and Mighty Lords the States General of the *United Provinces*, with all and singular their Dominions and Territories, shall be comprehended and included, as they are by these Presents comprehended and included, in the Treaty betwixt *England* and *France*, dated at *Westminster, November 3, N.S. Anno 1655.* as are also the Friends and Allys of both States, who shall desire to be included in the said Treaty within three Months next ensuing the date of these Presents. In Witness whereof, we the Commissioners of his most Serene Highness the Protector of the Republick of *England, Scotland and Ireland &c.* have set our Hands and Seals to these Presents. Done at *Westminster, November 3, 1655.*

(L.S.) NATH. FIENNES.

(L.S.) WALTER STRICKLAND.

That there may be no Room hereafter for Suspicions, the Ambassador of the King of *France* and *Navarre* engages and promises, in the Name of his most Christian Majesty, to the Lord Protector of the Republick of *England, Scotland and Ireland*, &c. That the Persons whose Names are mention'd in the List hereunto annex'd, and subscrib'd by the Lords Commissioners, shall not stay, neither they nor any one of them, in the Kingdom of *France* beyond 40 days after the Exchange of the Ratifications of the Treaty sign'd this day; nor shall they, or any one of them return, or at any time hereafter be admitted into the said Kingdom. For the same reason, the Persons whose Names are mention'd in another Catalogue hereunto annexed, and subscrib'd by the said Lord Ambassador, neither they, nor either of them shall stay in the said Republick above 40 days after the Exchange of the Ratifications of the said Treaty by both Party's, nor shall they or any of them be at any time hereafter admitted thereto. And moreover, it is agreed and concluded on both sides, by virtue of the Powers granted to both, that altho' the present Article, which shall be accounted a secret Article, be not inserted in the Treaty aforesaid, yet it shall obtain the same Force and Vigor, and shall be ratify'd in the same manner and form as the Treaty aforesaid.

Those to be banish'd out of England were Marisin the elder, Cugnac,⁹ Trancart, Mazerolles, Barrière, S. Mars, Conan, Defert, Blaru, Taudin.

And those to be banish'd out of France were Charles eldest Son of Charles late King of England, James Duke of York, Henry Duke of Gloucester, after ten years, if requir'd: The Lord of Ormond, Sir Edward Hyde, Sir John Culpepper, Lord Gerrard, Daniel Oneale, Lord Wilmot, Sir Marmaduke Langdale, Sir Edward Nicholas, Lord Wentworth eldest Son of the Earl of Cleveland, Sir Richard Greenville, Sir Francis Doddington, Sir John Berkley, the Lord Bellasis, O Sullivan Beare, Lieutenant General Middleton, Lord Muskerrie the Father, Major General Edward Mussey.¹⁰

⁹ Jenkinson, i, 85, reads: "Marisin, the elder Cugnac."

¹⁰ Collection of Treatys (1732), iii, 149-61; summary in Jenkinson, i, 81-85. Latin in Dumont, *Corps Diplomatique*, vi, pt. ii, 121-4; also in Aitzema, viii, 339, and in Recueil des Traitez de Paix, iii, 681-4. Copy in Stowe MSS. 193, f. 1.

APPENDIX II

1. Diploma Instructionum datarum Bulstrodo Whitlochio Castelli Windso-
rensis Constabulario uni ex Custodibus Magni Sigilli Angliae, Legato Extraor-
dinario a Republica Anglicana ad Reginam Sueciae.

Quandoquidem nuper sub nomine Legati Extraordinarij a Parlamento
Reipublicae Angliae ad suam Majest^m Reginam Sueciae missus fueris ad reno-
vandum et contrahendum foedus et confederationem cum dicta Regina et
Regno pro ratione Commissionis et mandatorum a Te a dicto Parlamento et
ejus temporis Status Consilio acceptorum. Et quandoquidem a discessu Tuu
hinc, ejus temporis dictum Parlamentum fuerit dissolutum et Regimen sit con-
stitutum et confirmatum ea ratione de qua ex Literis Domini Thurloe, Consilij
Secretarius qui in id accepit mandata ut totius negotij rationes Tibi exponeret,
certior eris factus. Nunc ne forsan quod Tibi concreditur negotium (adeo
utrique Nationi necessarium et a parte nostra adeo sincere expetitum) inter-
rumpi aut retardari posset rerum immutatarum ratione et inde probabiliter
nascitura quaestione de Commissionis Vestrae et Instructionum validitate; ad-
hibito in id Consilio expedire visum est novas Literas Credentiales quarum
Exemplum cum hisce accipies ad suam Majestatem scribere, quae Literae per
Te Reginae exhibebuntur. Et etiam Suam Majest^m harum praesentium vir-
tute certiore facies, Regiminis hic locorum alterationem nihil in bonis in-
tentionibus quo ad nos erga Suam Majest^m et suas Ditiones hinc immutasse,
eandem in Nobis propensionem ad omnem bonam intelligentiam et mutuum
consensum cum Regina, et Regno ut dictum prout aliquando sub harum Na-
tionum Gubernatoribus tam conservandum quam augescendum se reperturam.
Et in hunc finem per praesentes autoritate instructus es quo in suscepta nego-
tiatione pergas, et Tractatum cum Sua Majestate ad bonum Exitum perducere
conceris, pro tenore et sensu Commissionum potestatis et mandatorum jam a Te
acceptorum, quae etiam prout rei natura illud postulaverit ultra sum rati-
habitus et sancitus.

Datae Albac-Aulac 23^o Decembris 1653.

OLI. PROT.¹

2. Olivarius Dominus Protector Reipub: Angliae, Scotiae et Hiberniae sua-
rumque Ditionum:

Illustribus et Amplissimis Proconsulibus et Senatoribus Civitatis Hamburgensis.
Salutem.

Illustres Domini,

Cum honorabilis vir Joachimus Petersonus Residens vester desideria vestra
nuperum Nobis significaverit, quibus veterem Intelligentiam, quae inter hanc
Rempub: et Civitatem vestram Longum intercessit, conservatum iri cupitis,
Nobis pariter visum est propensum nostrum et benevolum in hanc rem affectum
palam facere; in cuius evidens Testimonium Honorabili viro Richardo Brad-

¹ MS. copy of Latin original in the Swedish Archives in Stockholm.

shaw Armigero in mandatis dedimus, ut sese Residentem nostrum apud vos contineret Ideoque rogamus uti quotiescumque petierit benignam Audientiam ei concedere iisque quae a parte nostra propositurus est plenariam fidem adhibere velitis. Dab: ex Alba Aula, Febru: 10^{mo} An: 1653/4.²

3. Olivarius Dominus Protector Reipub: Angliae, Scotiae et Hiberniae &c.
Senerissimo [sic] Principi Venetiarum Duci Illustrissimoque Senatui Veneto
Salutem.

Serenissime Princeps Illustissime [sic] Senatus,

Cum mercatores naucleri, caeterique e popularibus huius Reipub: Venetas commercandi causa frequentantes Johannem Hobsonium ad locum et officium Michaelis Phillips nuperi eo loci Consulis, qui e vivis excessit suis suffragiis cooptaverint; Atque a nobis suppliciter petiverint, ut adsensu nostro id munire et comprobare velimus. Nos Liberam mercaturam interutramque Rempub: conservatum auctumque iri cupientes, nec non de fidelitate atque aptitudine ad id muneris personae nobis recomendatae sufficienter persuasi eorum precibus non illibenter auscultavimus. Atque his literis nostris dictum Johannem Hobsonum Consulem nostrum Venetiis, ex parte populi huius Reipub: commercia illic exercentis praeficimus, et renunciamus. Quo circa serenetatem vestram, atque illustrissimum Senatum rogatos volumus, ut eundem comiter et benigne exciperint, utque omnia jura privilegia libertatesque eo muneri fungentibus concessa, vel concedi solita, ei imminuta prestarint, utque autoritatem copiamque ei facerent earum omnium rerum gerundarum, quae ad officium Consulis rite spectant, tam quo ad lites et disceptationes, quae inter anglos nautas, seu mercatores mercium commutandarum occasione aliasue subioriante e vestigio componendas et dijudicandas quam ad corum negotia citra moram expedienda remque mercatoriam promouendam. Quod cum utriusque Reipub: non levi commodo futurum sit, ita, et nos ad paria bonaे Amicitiae officia serenetati vestrae Serenissimaeque Reipub: Venetae prout occasio tulerit, referenda obstrictos tenebit. Dab ex Aba [sic] Aula Februarii decimo octavo ann. 1653/4.³

4. Olivarius Dominus Protector Reipub. Angliae,
Scotiae et Hiberniae &c.

Omnibus et singulis nostris Generalibus, Admirallis, Thalassiarachis Ministris Officiarijs, Tribunis Militum, Capitaneis Caeterisque terra marine, militan- tibus, praesentes literas visuris, et inspecturis Salutem. Sciatis quod cum valerius Franciscus a Comminga liber et haereditarius Amelandiae Dominus per libellum supplicem ad nuperum Parliamentum datum sexto Januarij ultimi, Atque etiam Liommaeus, Petri et Theodorus Dominici, Ministri et Delegati sui, Auctoritate publica ad hoc instructi, per alterum libellum supplicem ad Nos datum humiliter remonstraverint, quod Insula Amelandia ab omni retro Saeculo fuerit et nunc sit, liberum et Neutrale Dominum, a Jurisdictione et regimine Foederati Belgij eiusdemque membris separatum, nihil habens commune cum dissentionibus et Bellis qua inter hanc Rempub: et dictas foederatas Provincias geruntur, Atque ea propter literas Neutralitatis humiliter flagitant, quibus

² Contemporary copy in Rawl. MSS. A.261, f. 1.

³ Contemporary copy in *ibid.*, A. 261, f. 1v.

dictus Dominus Amelandiae, nec non et Subdit. Ancolaeque eius Insulae unacum corundem bonis, navibus commercijs et piscaturis Neutrales et ab omni hostili vexatione Liberi declarentur. Nos pradictorum supplicum petitionem nobiscum perpendentes declaravimus atque his praesentibus declaramus, dictam Insulam Amelandiam, una cum omnibus Ancolis, nativis eius loci subditis nec non et navibus commercijs caeterisque bonis liberam Neutrallem atque immunem fore Atque ita vobis et unacuique vestrum in huius Reipub: militiam ascripto firmiter iniungimus et mandamus, ut dictis Ancolis subditisque Amelandiae (modo legibus et consuetudinibus inter Amicos receptis, versus alterutrius hostes conformiter sece gerant:) dictae Neutralitatis plene et pacifice utendae fruendaque copiam Faciat. Ita ut cum propriis suis navibus naucleris gubernatoribus, Nautis, bonis et mercibus (:quarum navium et navigorum ad eandem Insulam pertinentium. Una cum nominibus et Ciphris nauclerorum atque onere dictarum navium et navigiorum Catalogus nobis exhibitus est) libere absque omni impedimento secundum veram mentem et tenorem harum praesentium navigent, piscentur et negotientur. Atque hoc vobis praeccipimus et mandamus sub poena indignationis Nostrae: Dab: ex Alba Aula Februarij vicesimo, Anno 165².⁴

5. Olivarius Dominus Protector Reipub: Angliae, Scotiae et Hiberniae &c.

Illustri Senatui Civitatis Genevensis, Salutem.

Amplissimi spectatissimique viri Amici charissimi,

Pietatem vestram in pariore atque Evangelica Doctrina propaganda, frustra obnitentibus adversariis, boni et cordati omnes prono affectu prosequuntur. Certe nobis eo nomine gratissimi estis, quod salutaris Evangelii Lux et Urbe vestra in circumvicinas Regiones jam ante saeculum faeliciter se diffuderit; Atque adhuc magis, quod pristinum vestrum Studium reformatae Religionis tutandae et promovendae nihil defervescat. In quo pio vestro et laudatissimo proposito porro ut pergatis etiam atque etiam hortamur. Cumque id antiquissimum merito haberi debeat ut ii quos ejusdem religionis professio communi foedere sociaverit, integrum Amicitiam inter se colant et conservent, huic rei ultiro nosmet obtulimus et misso a nobis ad omnes Evangelicos Cantones honorabili Viro Johanne Pell qui de rebus tam publicum bonum quam privatam utilitatem spectantibus cum iis ageret, si in mandatis dedimus, ut vos in particulari nostro nomine salutaret, deque benevolo nostro et propenso erga vos animo certissimos faceret. Quem igitur publicum nostrum ministrum ut benigniter excipiatis, libenterque audiatis, iisque quae a parte nostra proposituros est eandem fidem habeatis quam nobis metipsis rogamus. De caetero prospera omnia et felicia vobis ex animo precamur. Dab ex Alba Aulau vicesimo septimo die Martii 1654.⁵

Vester bonus amicus,
OLIVER P.

⁴ A copy with the notation "Collatum concordat de verbo ad verbum cum principali, quod attestor infra scriptis notarius publicus Bollnandiae residens, Actum 22 Martij A° 1654. J. Sudolpp, Not: Pub: 1654" is in *Algemeen Rijksarchief*, St. Gen. 6914, at the Hague.

⁵ Contemporary copy in *Rawl. MSS. A 261*, f. 4v-5.

6. *To Monsieur le Chevalier de Marcille*

Monsieur le Chevalier

Je suis bien sensible aus felicitations de votre Prince. Il sent quoique de Sang Royal, que les Souverains ont des devoirs; que quand ils sacrifient les peuples a leurs caprices, les peuples ont droit de leur demander compte et de mettre un terme a leurs violences. Nous avons Sevi contre le notre; l'ent un Exemple utile dont ses confreres voudroient nous punir. Ils ameutent les esprits foibles et les devots mais j'ai l'ocil ouvert sur ses intrigues et ne suis pas la dupe du Cardinal. Je suis bien aise cependant qu'un membre de famille Souveraine applaudisse a le que nous avons fait. Son approbation clora la bouche aux autres. C'est vous qui lui donnes une maniere depenser si juste. Je charge de vous témoigner combien je suis satisfait.

Westmonasterij

10 Juin 1654.

OLIVER^s P.⁶

7. Olivarius Protector Reip. Angliae, Scotiae, & Hiberniac &c. celsis ac potentibus Dominis ordinibus Zelandiae, bonis amicis ac foederatis nostris, salutem & prosperos rerum successus.

Celsi ac potentes domini, boni amici & foederati,

Conventu vestro Provinciali (iam uti accepimus) instante, nos Christiano & pacifico affectu commoti, ac serio nobiscum reputantes, quantum Christiani sanguinis superiori bello inter eiusdem fidei consortes mutuo datum haustumque sit, et quanto plus adhuc sanguinis ingruente iterum bello (quod Deus avertat) dandum hauriendumque sit, Christiani officii esse censuimus Dominationibus vestris (utpote nobis una cum Hollandis maxime vicinis, et propter mutuum commerciorum usum plurimis amicitiae vinculis iunctis) hisce praesentibus amice et sincere exponere, nobis dicto foedere pacis nihil prius neque antiquius fore, modo praecipua eius cautela & securitas aliunde non labefactetur, rescindatur aut infringatur: quod ne ullo modo, ullisive malevolorum artificiis fiat, tum nobis maiori studio ac Zelo contendendum, tum Dominationibus vestris commendandum iudicavimus; quandoquidem ex fama publica, multisq: insuper tam Haga quam aliunde fide dignis nunciis admonemur, nonnullos ibi omnem lapidem movere, ut sincera & laudabilis celsorum et potentium dominorum ordinum Hollandiae in pace, non ita pridem inter nos et foederatum Belgium facta, rite colenda, confirmando & stabilienda intentio et propositum traducatur atque intervertatur, unde verendum est ne omnis pactorum conventorum certitudo et securitas (sine qua unquam pacisci nec debuissemus nec potuissemus) una eademque opera nobis e manibus eripiatur, ac firma illa et perpetuo (quod faxit Deus) duratura pax concutiat, labefactetur, et postremo etiam si fieri possit omnino rumpatur, rursusque in cruentum bellum convertatur, et erumpat, in utriusque Reip. imo universae Reip. Christianae opprobrium & detrimentum irreparabile, tandemque (ni Deus misericors avertat) purioris et reformatae religionis in utraque gente, & ubique gentium, exterminium & ruinam. Nos vero constanter nobis propositorum habemus, dictum foedus sancte et religiose observare, veramque & firmam amicitiam cum celsis & potentibus universi Belgii singularumque Provinciarum, ordinibus, & spe-

⁶ Original in the Tangye Collection.

ciatim quoque cum Dominationibus vestris perpetuo colere; nulli dubitantes quin dominationes vestrac una cum Dominis ordinibus aliarum provinciarum, pro singulari prudentia sua, huic nostrae justissimae intentioni responsurae, atque cum dictis dominis ordinibus Hollandiae obviam iturae sint, perversis conatibus & inclinationibus eorum, qui pacem publicam propter privatum usum ac commodum fractam, et una communem libertatem et religionis causam pessundatam, nec non communium utriusque hostium ludibriis & insultibus obnoxiam & expositam velint. Nos quidem uti hisce praesentibus conscientiae nostrae satisfacere voluimus. Ita etiam deum opt: Max: pacis unicum & concordiae auctorem ex animo precamur, ut super solida securae adeoque duratae pacis et amicitiae fundamenta omnes et singulae foederati Belgii provinciae non solum nobiscum colant pacem & amicitiam, verum etiam inter se ipsas mutuo eademque qua creverint hactenus, augescant indies & quam diutissime fruantur concordia; In quem finem deum veneramur, ut dominationibus vestris moderata & tranquilla consilia inspirare velit, et porro totum hoc pacis negocium magis magisque indies stabile ac firmum reddere dignetur, ut ante omnia divino numini eius debitus honos, puro eius cultui, ac sacrosanctae religioni reformatae, quam utrique profitemur, splendor, mari ac navigationi prisca securitas, mutuisque commerciis vetus vigor reddatur; ac postremo inter utrasque gentes antiqua vera & fraterna amicitia tot vinculis religionis vicinitatis, et commerciorum astricta, ad maiorem dei gloriam et eiusdem religionis incrementum in perpetuum coalescat, et sic avita amborum populorum libertas, et utriusque Reip. pax et tranquillitas contra omnes malevolorum & prava molientium machinas, omnesque insultus hostiles, tam domi quam foris inconcussa maneat; quod benigne velit Misericors ille deus, cuius divino numini dominationes vestras commendamus.

Datam ex Alba Aula 16 Junii stylo vet. 1654.

Vester bonus amicus
OLIVARIUS P.⁷

8. To Anton Gunther, Count of Oldenburg.

Olivarius Dominus Protector Reipubl: Angliae Scot: et Hiberniae etc: omnibus et singulis Admiralis nostris Generalibus, Thalassiarachis, Praefectis, Tribunis, Capitanis, nec non omnibus nostris Legatis, Residentibus, Deputatis & Ministeris Publicis aliasque quibuscumque quorum inter est per praesentes significamus. Quod cum Parlamentum Reip: Angl: Illustrissimo Domino Comiti Oldenburgico, Neutralitatis Exemptionis et saluaeguardiae diploma, datum Westmonasterii Februarii decima Septimo, Anno Millesimo Sexcentesimo quinquagesimo primo, solemni forma ante triennium concesserit. Atque idem Illustrissimus Comes per deputatos et Ministros suos Friedericum M. W. & Christoph: Griiph: nuperum a nobis petierit, uti dictum Diploma confirmare, ratificare, atque autoritate nostra denus munire dignaremur. Nos aequis suis postulatis auscultantes, dictum Diploma in omnibus suis Clausulis, membris et capitulis confirmavimus ratificavimus gratum firmumque Habuimus, quem ad

⁷ Orig. Latin pr. in *Epistola D. Olivarii Protectoris Reipublicae Angliae, Scotiae & Hiberniae; &c. ad Celsos ac Potentes Ordines Zelandiae Brief van de Heere Olivuer Protecteur . . . den 16/26 Junii, 1654* (1654); checked with photostats of copies in Rawl. MSS., A261, ff. 9-10, and in Riksarkivet, Stockholm.

modum et harum praesentium virtute confirmamus ratificamus, gratum id firmumque habemus. Quo circa firmiter et expresse vobis mandamus, ne quis vestrum dictae salvae Guardiae Diplomati ullen tenus contravenire praesumat quo minus praefatus Comes, et subditi sui quicunque omnibus Exemptionibus, Juribus, Privilgiis, aut beneficiis in codem comprehensis plene et secure utantur fruanturque, verum eandem Saluam Guardiam in omnibus juxta contentum ejus et tenorem inuidi lauiliter, atque efficaciter praestetis et observetis. Atque hoc sub Poena indignationis nostrae. In quorum fidem et robur has litteras nostras Patentibus manu propria signavimus, iisque magnum Angliae Sigillum apponi fecimus. Dab: ex Alba Aula Westmonasterij Vicesimo tertio Junij Anno Millesimo Sexcentesimo quinquagesimo quarto.

huscy

OLIVER P.⁸

9. Olivarius Dominus Protector Reipub: Angliae Scotiae et Hiberniae &c. Serenissimo Principi ac Domino Frederico Haeredi Norvegiae, Duci Slesvici, Holsatiae, Stormariae, et Dithmarsiae, Comiti in Oldenburgh et Delmenhorst &c. Amico suo charissimo, Salutem.

Serenissime Princeps,

Propensam vestram erga Nos voluntatem, quam cum ex literis vestris, tum alliunde intelleximus, nos benevolo affectu recognoscimus. Porro que a Nobis petiistis, uti Celsitudo vestra cum Dominiis et Territoris vestris in Tractatu pacis cum ordinibus Generalibus Foederatarum Provinciarum nuperum conclusae includatur et Comprehendatur, id acquis vestris postulatis facile dedimus et concessimus. Cumque mandatarius vester Capitaneus Hermannus Wirtz post expletum publicum munus, quod apud nos prudenter et modeste, prout virum cordatum decuerit, gessit, impetrata profectione propediem discessurus sit, eundem ad vos reversum celsitudini vestrae recommendamus. De caetero Deus opt: max: celsitudinem vestram sospitet et tueatur. Dab: ex Alba Aula vicesimo nono die Junii Ann. 1654.

Vester bonus amicus,

OLIVER P.⁹

10. *Christianissimo Gallorum et Navarrai Regi*

Serenissime Rex,

Missis ad nos a Majestate vestra Domino De Burdigala Legato vestro, et Domino De Baas vestro Commissario, autoritate munitis ad instaurandam veterem Amicitiam, firmamque et duraturam pacem inter Angliam et Galliam constabiliendam. Eos non modo comiter, praestitisque humanitatis officiis, exceptimus: Verum animadvertisentes, ea quae ab iis proposita erant eundem cum votis studiisque nostris scopum collimasse, pariterque ambo consensisse dictos ministros, tam alloquio nostro haud gravatim saepe dignati sumus, quam per dele-

⁸ A contemporary copy of the original is in the Oldenburgisches Landsarchiv in Oldenburg, Tit. 38, nr. 83, with a note that the original is believed to have been removed to Paris in the time of Napoleon; also that the letter is printed in *Oldenburg Blätter*, 1832, no. 3.

⁹ Contemporary copy in Rawl. MSS. A261, f. 6-6v.

gatos cum iis crebro contulimus, de rebus negotiationem suam spectantibus ad eandem feliciter perficiendam. Multisque super hac re mutuo traditis et acceptis ingentem spem fovimus totum hoc negotium prospere successurum. Interea temporis dum Tractatus hunc in modum procederet, ad notitiam nostram devenit, Unum dictorum Ministrorum viz^t De Baas praeter Expectatum nostrum, et contra officii sui rationem non solum irquietos et maleferiatos homines, pacique huius Reipub. invidentes prono studio complexum esse, verum praua cum iis Consilia agitasse, sceleratique eorum machinationibus se immiscuisse ad rempub. conturbandam, politicum regimen subuertendum, omniaque caede, et sanguine foedanda. Cui tam atroci facinori ut patrocinium conquerireret, viresque ad deret, usurpavit nomen viri summae apud vos dignitatis, et Authoritatis, pecuniamque ad ea quae moliebantur exequenda, ab eo subministrandum promisit. Quae omnia probationibus et Confessionibus eorum innotescunt, qui ciudem cum eo sceleris consci et affines erant. Postquam igitur a nobis huius criminis postulatus esset, declaratumque illi esset, unde, et a quibus, plurimis injectis circumstantiis, id rescissemus, publicae salutis interesse duximus, ne quis tam turbido ingenio et tranquilitati infesto diutius apud nos haereret propterea certum tempus ei praestitimus intra quod ex hac repub. excederet, eique unam et navibus nostris bellicis in qua trajiceret assignavimus, et post cum has praesentes misimus, quae Majestatem vestram, rem prout sese habeat, veraciter edocerent, Denique nobis visum est Majestatem vestram hisce certiorem facere cum certo persuasi simus vos ex animo Scelus hoc aversari, dictumque Baas id privato Consilio suscepisse absque ullis a Majestate vestra hanc in rem documentis. Nos illo haud eo Consilio relegasse ac si praesentem Tractatum quoquomodo interruptum velimus, verum omni cum candore et simplicitate animi cupere, ut sinistris intelligentiis et male suspicandi causis procul amatiss, firma et sincera pax introducatur. In quem finem, Commissarios deputavimus, qui cum Domino De Burdigala tractatum instituere super eiusmodi capitulis in quae tanquam in fundamenta et substratum pacis stabilienda utrinque convenire intersit. Quae ut feliciter concludatur nihil ex parte nostra defuturum est. De caetero Majestatem vestram et Dominia vestra divini numinis clientelae commendamus. Dab. ex Alba vicesimo nono die Junii An. 1654.

[OLIVER P.]¹⁰

11. Olivarius Dominus Protector Reipub: Angliae Scotiae et Hiberniae &c. Illustrissimo celissimoque Principi et Domino, Domino Johanni Principi Anhaltino, Comiti Ascaniae Dynastae in Zerbst &c. Amico suo charissimo. Salutem.

Illustrissime Princeps, Amice charissime,

Literas vestras quac per honorabiles viros Fridericum Matthiam Woolzogen de Missingdorf, et Christophorum Gryphiandrum Illustrissimi Comitis Oldenburgici Delegatos ad Nos missae sunt, accepimus. Ex quibus studium vestrum et propensam erga nos voluntatem intelligere per gratum Nobis fuit. Atque illud ad veritatem sibi persuadeat Celsitudo vestra nos Amicitiam vestram plurimi facere, Eamque bonis omnibus Officiis, prout occasio subinde tulerit,

¹⁰ Contemporary copy in Rawl. MSS. A261, ff. 10v-11.

demereri paratos esse. Eoque adhuc magis quoniam artiore quodam necessitudinis Vinculo Vobiscum conjuncti simus, cum eundem Evangelicae et purioris Religionis cultum uterque profiteamur. De supra dignitate ad nos delata, quod gratulati estis par est ut gratias referamus. Salvae Guardiae Diploma quod petiistis libenter concessimus, prout ex praedictis Delegatis, quos ex rogatu vestro benigniter admisimus plenius cognoscatis: quibus etiam benevolum nostrum erga vos animum fusius explicandum relinquimus, eosdemque insuper publico munere sibi concredito prudenter perfunctos Celsitudini vestrae recommendamus. De caetero Deus opt. max. Celsitudinem vestram incolumem diu servet. Dab: ex Alba Aula septimo die July 1654.

Vester bonus amicus,

OLIVER P.¹¹

12. Pass for John, prince of Anhalt-Zerbst.

Olivarius Dominus Protector Reip. Angliae, Scotiae & Hiberniae &c. Omnibus & singulis nostris Admirallis Thalassiarachis, Generalibus, praefectis, Tribunis, Capitaneis, nec non omnibus & singulis nostris Legatis, Residentibus, Deputatis & ministris publicis aliisque quibuscunque quorum interest per praesentes significamus, quod cum Illustrissimus Celsissimusque Princeps & Dominus Johannes Princeps Anhaltinus, Comes Ascaniae, Dynasta in Zerbst, Bernburg, Jhevern & Kniphausen &c., quo populis & ditionibus sibi subjectis de quiete & tranquillitate prospiciat & contra metuendas futurorum motuum calamitates tempestiva immunitatis remedia quaerat, tam per litteras suas, quam per Delegatos Illustrissimi Avunculi sui Comitis in Oldenburg &c. Hac in parte sufficienter a se instructos nos omnibus modis rogaverit, ut ipsi nostram salvam guardiam & a cunctis belli incommodis plenissimam exemptionem & neutralitatem in solemni & amplissima forma, concederemus. Nos itaque commoti justitia & acquitate hujus sui desiderij hanc petitam salvam guardiam, exemptionem & Neutralitatem libenter ei concessimus. Mandamus itaque & volumus, ut omnes & singuli sub nostra Reip. signis belligerantes, cujuscunque conditionis & dignitatis sint, ut praedictum Principem & Dominum, Dominum Johannem Principem Anhaltinum, comitem Ascaniae, Dynastam in Zerbst &c. cum Principatu, comitatu & baronatibus suis aliisque inde dependentibus, omnibusque subditis & incolis, absque infestatione vivere & agere, incolasque sua commercia terra marique libere exercere permittant, atque illos ut amicos ubique habeant, hac nostra salvaguardia citra noxam & incommoda uti & perfrui omnimodi concedant, sub poena indignationis nostrae. Mandamus insuper omnibus & singulis nostris Legatis Residentibus & Deputatis aliisque ministris publicis maxime in Germania & utraque Belgio tam Foederato quam Hispaniis aliisque vicinis locis jam constitutis vel imposterum constituendis ut oblata omni occasione justa & honesta dicto Principi ac Domino, Domino Johanni Principi Anhaltino, Comiti Ascaniae, Dynastae in Zerbst &c. rogati in mantenenda hac salva guardia ejusque contentis maturis & aptis consiliis pro viribus assistant autoritateque & prudentia prosint, Denique mandamus ut hoc nostrum rescriptum in capiis vidimatis cum supra dicti Principis litteris salvi conductus subditis suis concessis exhibitum pari cum authographo & originali

¹¹ Contemporary copy in *ibid.*, A261, f. 6v-7.

authoritate & fide guadeat. In quorum omnium & singulorum fidem & authoritatem has litteras nostras patentes propria manu signavimus iisque magnum sigillum Angliae apponi fecimus. Dab. ex Alba Aula Westmonasterij July septimo, Anno Domini supra millesimum sexcentesimum quinquagesimo quarto.

OLIVER P.¹²

13. Olivarius Protector Reipub. Angliae Scotiae et Hiberniae &c. Serenissimo Principi Leopoldo Guilielmo Archiduci Austriae Duci Burgundiae &c. Gubernatori et Capitaneo Generali Belgii et Burgundiae, Salutem.

Serenissime Princeps,

Remonstratum suppliciter nobis est per Lucam Luce popularem huius Reipub. tam ex parte et nomine suo, quam Francisci Owens se mense Mayo An. 1653 cum celsitudine vestra de tribus millibus Hibernorum ex Hibernia in Flandriam trajiciendis in usum Regis Hispaniarum octodecim coronatis in singula capita numerandis contraxisse. Quae summa intra duodecim dies persoluenda erat post appulsum eorum qui primo trajectu transportarentur. Qui dicti Luce et Owens juxta contractum et conventionem praedictam, ante Annum iam elapsum, mille trecentos novem ad Dunkirkam exposuere, eundemque numerum illic recensuere. Opus quod multis periculis et impensis iis constituit, eoque magis a Celsitudine vestra remuneranda erat eorum alacritas, qui ad Regi Hispaniarum inserviendum, resque vestras promovendas, id in se perficiendum suscepérunt, pactamque fidem inviolabiliter servarunt. Quo circa ut dicti contrahentes post non levem operam, magnosque sumptus vestris rebus impensos, praestitis iis quae in se receperant, pacti a parte vestra precii beneficio plenario et cum effectu fruantur ius et aequum postulant. Quibus tamen nihil adhuc satisfactionis et compensationis nomine, juxta Conventionem prius dictam, licet in jure suo recuperando magnos insuper sumptus fecerint diuque expectaverint, persolutum esse certo accepimus. Quod postquam celsitudo vestra ex his nostris Literis resciverit, nil dubitamus, quin id protinus efficaciter curabit, ut dictis supplicibus ex aequo satisfiat, iisque pacta et conventa bona fidie praesentur atque adimpleantur. Quod iis aequitatis et Justitiae vestrae, Nobis propensae in Nos voluntatis et benevolentiae argumento futurum erit. De caetero prosperam et diuturnam incolumitatem Celsitudini vestrae ex animo precamur.

Alba Aula Westmonasterii quarto
die Augusti styl. vet. An. 1654

Vester bonus amicus,
OLIVER P.¹³

14. Olivarius Protector Reipub. Angliae, Scotiae et Hiberniae &c. Serenissimo Potentissimoque Principi Philippo 4^{to} Hispaniarum &c. Regi. Salutem.
Serenissime Rex,

Iterum ad nos delatae sunt querelae de pactis ob Hibernorum trajectionem nondum ex debito praestitis. Quo scribendi arguento ut Majestatem vestram toties interpellandi detur occasio, non magis vobis fortean molestum, quam nobis injucundum. Enimuero multo mallemus, ut rite peractis et observatis iis,

¹² A contemporary copy of the original is in the Oldenburgisches Landsarchiv in Oldenburg, Tit. 38, nr. 83.

¹³ Contemporary copy in Rawl. MSS. A 261, ff. 12v-13.

quae pars utraque stipulata est, omnis querelarum ansa praecideretur resque ex aequo procederet, neque ulteriori literarum officio indigeret. Vicesimo quarto ultimi Julii Literas ad Majestatem vestram dedimus de capitulatione cum Tribuno Mayo facta, de tribus millibus Hibernorum certo pretio transportandis. A quo demum, tempore suppliciter nobis remonstratum est per Georgium Walters Tribunum, atque unum e nostro exercitu in Hibernia, se sub certis conditionibus cum Majestate vestra pactis annis 1652. 1653 decem millia Hibernicorum militum trajecisse. Unde non levis pecuniae summa juxta predictas conditiones ei debetur, quae nisi bona fide persolvatur, tot tantosque sumptus huic rei fecit, ut et ipse, pluresque cum eo familiae omnium fortunarum suarum naufragium facere necessum inde habeant. At id non patietur Justitia vestra et spectata aequitas, ut qui rebus vestris proinventis, milites enim trajecti in militiam vestram ascripti sunt tot impensas fecerint pactis nempe conditionibus invitati, earum beneficio non ex aequo et Jure fruantur. Quo circa Majestatem vestram magnopere rogamus, Ut authoritatem et speciale vestrum Mandatum huic rei interponere velitis, quo dicto supplici juxta Conventionem prius factam plenario et citra moram satisiat. Quod vobis honorificum nobis gratum erit, et ad paria humanitatis et benevolentiae officia de- vinctos tenebit. De caetero prosperam et diuturnam incolumentem Majestati vestrae ex animo vovemus.

Dab: ex Alba Aula Westmonasterii
octavo die Augusti styl. vet. An. 1654.

Vester bonus amicus,
OLIVER P.¹⁴

15. Olivarius Protector Reipub. Angliae Scotiae et Hiberniae &c. Serenissimo Potentissimoque Principi Philippo quarto Hispaniarum &c. Regi. Salutem.

Serenissime Rex,

Remonstratum Nobis est per Libellum supplicem proprietariorum navis, cui titulus *The Swan of Chichester*, dictam navem una cum onere suo a duabus bellicis ex Ostenda captam et occupatam esse. Quarum uni insigne erat Joannes, Nichola Held Praefecto alteri & Graymare Praefecto Laurentio Andrews. Qui dictam navem bonaque Ostendam abduxere, et absque lata ab Admiralitate Sententia vendidere. Et licet legatus vester hic apud nos residens literas hac de re ad Serenissimum Archiducem iam pridem dederit dictique Proprietarii in solicitanda sua causa magnas impensas ficerint, nihil tamen adhuc profecere, vel ad navem bonaque sua recuperanda, vel ad justam satisfactionem pro illatis damnis obtainendam. Quo circa ut efficacius remedium huic malo adhibeatur, neve dicti proprietarii ab iis quibuscum amicitiam colunt instar hostium tractentur, atque indicta causa jure suo depellantur, Majestatem vestram plurimum rogatam habemus, uti specialis vestri Mandati interventu Ius et aequum injuriam passis quamprimum administrari curetis. Quo majoribus incommodis quae ex dilatione Justitiae multoties enascuntur tempestive obviam eatur, omnesque sinistre de se suspicandi occasionses alterutri Statui praecitantur. Deus opt. max. Majestatem vestram sospitet et tueatur.

Dab: ex Aula nostra Augusti
vicesimo quarto An. 1654.

Vester bonus Amicus,
OLIVER P.¹⁵

¹⁴ Contemporary copy in *ibid.*, A261, ff. 13-13v.

¹⁵ Contemporary copy in *ibid.*, A261, ff. 16v-17.

16. Olivarius Protector Reipublicae Angliae, Scotiae et Hiberniae &c. Magnificis nobilissimis, et spectatissimis Viris Praeconsulibus, Consulibus, et Senatoribus Urbiis Hanseaticarum, Lubecae, Bremae, et Hamburgi, Salutem.

Magnifici nobilissimi, spectatissimique Viri, Amici dilecti,

Quae a multis retro saeculis necessitudo et commercandi Libertas inter Angliam et Urbes Hanseaticas, non levi utringue Emolumento intercessit, Nos communi utilitati prospicientes, eam conservatum adhuc auctumque indies iri ex animo cupimus. Atque illud nobis antiquissimum erit omnia Vicinitatis et Amicitiae Jura sanctissime Vobiscum colere atque illibata servare. Quocirca gratum nobis fuit, quod renovandae veteris amicitiae causa, nobili viro Joachimo Petersonio, Civitatis Hamburgensis ad nos Ablegato, quaedam Nobiscum tractanda in mandatis dederitis; Cui ut ministro publico plenariam in omnibus fidem adhibuimus. Verum quae ille ex mandatis vestris hic transegerit, quoque in statu res vestrae apud Nos sint, maluimus ut ex ore suo quam ex Literis nostris recognoscatis. Id tamen a nobis impetravit diligens eius in rebus administrandis solertia, ut cum redditum ad Vos propediem cogitet, Eum meritis cum laudibus remittamus, qui negotia sibi commissa summa cum gravitate et prudentia feliciter expeditius quodque a nobis desiderastis secundum votum vestrum obtinuit. Id unicum restat ut Divini numinis clientelae vestras Amplitudines commendemus. Dab. ex Aula nostra Westmonasterii Augusti 28 styl. vet. An. 1654.

Vester bonus Amicus
OLIVER P.¹⁶

17. Olivarius Protector Reipublicae Angliae, Scotiae, et Hiberniae &c. Magnificis nobilissimis, et spectatissimis viris Praeconsulibus et Senatoribus Civitatis Hamburgensis. Salutem.

Magnifici Nobilissimi, et Spectatissimi Viri, Amici dilecti,

Quod a nobis per literas petiistis uti legatum vestrum Joachimum Petersonium placide audire fidemque dictis ejus adhibere dignaremur, id pro singulari benevolentia, qua vos et rempub. vestram complectimur, libentissime concessimus. Porro quae praedictus legatus vestro nomine apud Nos transegerit, necnon amica, et sincera nostra in rempub. vestram studia, ei fusius exponenda relinquimus. Qui postquam publicum sibi commissum munus fideliter et prudenter expleverit, eum meritis cum encomiis remittimus, vestroque favori recommendamus. De caetero amplitudines vestras bene valere jubemus, prospera omnia et felicia vestrae Reipub. vountes. Dab. ex Aula nostra Westmonasterii Augusti vicesimo octavo styl. vet. Ann. 1654.

Vester bonus amicus,
OLIVER P.¹⁷

¹⁶ Contemporary copy in *ibid.*, A261, ff. 17v-18.

¹⁷ Contemporary copy in *ibid.*, A261, ff. 17-17v.

18. Olivarius Protector Reipublicae Angliae, Scotiae, et Hiberniae &c. Celsissimo Principi ac Domino Dei gratia in Livonia Curlandiae et Semigalliae Duci. Salutem.

Celsissime Princeps, Amice charissime,

Propensam vestram erga nos voluntatem quam cum ex literis vestris, tum aliunde intelleximus, Nos benevolo affectu recognoscimus. Idque persuasissum vobis esse cupimus, Celsitudinem vestram eo numero et loco a nobis haberi quo Principem dignitate amplissimum virtutibus insignem, multasque ob causas nostra amicitia dignissimum censeri aequum est. Quemadmodum vero generoso viro Johanni Bretislaw Mislick Baroni ab Hirphos Ablegato ad nos vestro, qui commissa sibi negotia summa cum gravitate et prudentia feliciter expedivit. Ea quae a vobis in mandatis habebat exponenti libenter adhibuimus fidem. Ita praeter istam mutui nostri amoris significationem quam hae literae complectentur responsionem nostram ad ea de quibus vestro nomine nobiscum agebat Celsitudini vestrae referendam, eius fidei et prudentiae commisimus. Nihil amplius igitur in praesentiarum restat, quam ut celsitudinem vestram resque vestras Divinae Benignitatis praesidio animitus commendemus. Dab. ex Aula nostra Westmonasterii Aug. 28^o styl. vet. An. 1654.

Vester bonus Amicus,

OLIVER P.¹⁸

19. Olivarius Protector Reipub. Angliae Scotiae et Hiberniae &c. Christianissimo Gallorum et Navarrai Regi. Salutem.

Christianissime Rex,

Cum Mercatores huius Reipub: in Gallia commercantes per libellum supplicem nobis exhibitum petiverint, ut Johannem Aldworthum Consulem ab iis electum Massiliae, qui Lites de re Mercatoria orituras dirimeret, atque eorum negotia tam inibi, quam in caeteris vicinis, Portibus et locis Galliae procuraret, Adsensu nostro confirmare, atque ad id muneric deputare velimus. Nos pro conservandi atque ad angendi commercii studio aequis eorum precibus non illibenter annuimus: quod cum utrique Gente e re communi futurum sit nil dubitamus, quin Majestas vestra id consimili facultate amplexabitur. Qua de causa visum est nobis his praesentibus notum facere, sicut et notum facimus. Nos dictum Johannem Aldworthum Consulem Massiliae ex parte Mercatorum huius Reipub. in iis oris Galliae Mercaturam facientium, qui in rebus suis Mercatoris auxilio et adjumento iis esset, prout officii consulis est, approbasse, et renunciasse. Atque hunc in finem Majestati vestrae recommendatum volumus, quo omnibus juribus, privilegiis atque immunitatibus eo munere fungentibus ex usu debitum utatur, fruaturque. Atque etiam autoritate muniatur earum omnium rerum, quae ad officium Consulis spectant, tam inter Nautas huius Reipublicae in eo Portu appellentes, quam Mercatores transigendi et exequendi. Utque ab omnibus Majestatis vestrae foris Juridicis, magistratibus et officiariis, quorum in Mercatorum causis promovendis adeundi occasio erit, Comiter et amice excipiatur. Quod sicut mutuo futurum est commodo, ita nos

¹⁸ Contemporary copy in *ibid.*, A261, f. 18v.

insuper ad paria bonae Amicitiae officia, prout res tulerit obstrictos tenebit.
Dab. ex Aula nostra Westmonasterii 12^o die Septembris An. 1654.

Vester bonus amicus
OLIVER P.¹⁹

20. Olivarius Protector Reipub. Angliae, Scotiae et Hiberniae &c. Celsis ac Praepotentibus Dominis Ordinibus Generalibus Unitarum Provinciarum, Bonis Amicis et Federatis Salutem et prosperos rerum successus. Celsi ac Praepotentes D[omi]ni Boni Amici et Federati,

Inter plurima benevolentiae atque amicitiae testimonia, quae inter hanc Rempub: vestrasque Ditiones hinc inde exhibita fuere, id haud minimum consendum est, quod societas Anglorum Mercatorum, quos Adventureurs vocamus, mutuo consensu mercaturam et Residentiam suam in Belgio tot annos continuaverint. Nec leve commodum ei mercaturaie iisque quorum ea interest inde accessit, quod Stapulæ et Residentiac suæ sedem certo in loco fixerint. Quo factum est ut Lanea huius Reipub: Opificia quibus ea Societas occupatur certius atque Emptoribus commodius divenderentur. Qua res etiam pactis et federibus ab utraque Natione ante hac initis stabilita fuit. Et cum dicti mercatores Adventureurs veniam a nobis impetraverint, ut stapulam ceu Emporium suum denuo locarent; et in majorem exercenda Mercaturaie usum, Residentiam suam aliqua in urbe intra Unitas Provincias demum capesserent, quae nuperi belli occasione aliquandiu intermissa fuit; Cumque Deputatos suos hunc in finem instruxerint, ut cum una vel pluribus Civitatibus infra Dominia vestra tractent, de sede sibi figenda, debitisque privilegiis. Necessarium duximus id Dominationibus vestris impartiri, atque a vobis petere uti eos et mercaturam suam solito vestro favore suscipere et tueri dignemini. Et siqua inter tractandum cum eius modi civitate ubi stapulam suam constituerint, difficultas de privilegiis interciderit, ut eandem tam Autoritate vestra benigniter soluere, et privilegia confirmare velitis, quam edictum vestrum de commercio An. 1599 promulgatum renovare, idque executioni dari, et per omnes Unitas Provincias observari jubeatis. Quod propensam eam in nos voluntatem testabitur, quae nos ad paria benevoli Animi officia Dominationibus vestris, iisque sub Ditione vestra referenda, prout opportunitas dederit, devinctos tenebit. Nihil aliud restat quam ut vos et res vestras Divinae Clientelae ex Animo commendemus. Dab. ex Aula nostra Westmonasterii Octobris 26^o An. 1654.

Vester bonus Amicus
OLIVER P.²⁰

21. Olivarius Protector Reipub. Angliae, Scotiae, et Hiberniae &c. Celsis ac Potentibus Do[mi]nis Ordinibus Hollandiae, Bonis Amicis et Federatis nostris Salutem et prosperos rerum successus.

Celsi ac Potentes D[omi]ni Boni Amici et Federati,

Quandoquidem Angli Mercatores e Societate, quam Adventureurs vocamus, qui Stapulam ceu Emporium suum alicubi intra Unitas Provincias a multis retro Annis habuere ob nupera bella illic commorari aliquandiu destiterint

¹⁹ Contemporary copy in *ibid.*, A261, ff. 19v-20.

²⁰ Contemporary copy in *ibid.*, A261, ff. 22-22v.

atque intermiserint. Et cum nunc Veniam a nobis impetraverint, ut dictam Stapulam suam in urbe aliqua intra Provinciam vestram, quae illorum mercaturae exercendae commodissima, restituerint. Et Deputatos suos instruxerint ad tractandum hac de re cum una vel pluribus civitatibus dictae vestrae Provinciae, in quibus sedes suas figere optaverint. Necessarium duximus id dominationibus vestris impartiri vosque insuper rogatos habere, uti dictam societatem pristino vestro favore et benevolentia susciperemus dignemini, ut pote qui omnibus temporibus ita se gesserint, ut et nominis suo consultum, aliisque omnibus satis factum inde fuerit, quibuscum commercati sunt; et quorum apud Vos residenciae promovendae Amicitiae, bonaenque inter utramque rem publ. intelligentiae conservanda non parum contulit. Utque Tractatum de privilegiis, quem cum eiusmodi loco vel locis, ubi sedem sibi posuerint, habituri sunt. Autoritate vestra iuvare, eademque rata facere velitis. Atque edictum de commercio praesertim id An. 1599 renovari atque intra Provinciam vestram observari iubatis. Quod pro non levi vestrae benevolentiae indicio habituri sumus, omnibusque mutuis amicitiae officiis erga populum sub dominationum vestrarum ditione data occasione lubentissime pensabimus. De caetero Deum opt. max. pro in columitate vestra et re prospera supplices Veneramus. Dab: ex Aula nostra Westmonasterii Octobris 26^o An. 1654.

Vester bonus Amicus
OLIVER P.²¹

22. Olivarius, Protector Reipubl. Angliae, Scotiae & Hiberniae; ad celsis ac potentibus dominis Ordinibus Zelandiae, bonis amicis, & Foederatis nostris salutem & prosperos rerum successus.

Celsi ac potentes domini, boni amici & foederati,

Quandoquidem certum Nuncium de Conventu vestro, qui jam celebratur, non tempestivus ad nos allatum fuerit, idcirco est, quare literis vestris septimo Augusti datis, huc usque respondere distulimus. In prioribus nostris literis quibus ultimo respondistis, causas & rationes videre est, quibus ad easdem prescribendas adducti fuimus: Quae quidem tanti ponderis et momenti erant, atque etiamnum apud nos sunt, ut ea silentio praeterire, quasi istiusmodi res ad nos nihil attinerent, nullatenus potuimus, sicut nec adhuc possumus, dum id nobis competitissimum est, communes utriusque Reipub: hostes in id unice incumbere, quo pacem inter utramque Rempub: nuperum confectam nefariis ausis convellerent, novisque calamitatibus utramque gentem involverent, mutuaque denuo caede & sanguine (cuius plus nimio in nupero funesto bello profusum est) commiscerent. Nimirum spes iis exinde redit, viam sibi sterni posse tyrannidi et dominationi, in eos introducenda, qui in utraque, natione libertates suas tanto pretio redemere. Atque huic fini maxime idoneum existimarunt, non modo id, quod a Celsis ac Potentibus Dominis Ordinibus Hollandiae et Westfresiae ad predictam pacem tutam et securam praestandam actum et constitutum est, maledictis et contumelii onerare: (sine qua securitate sicut pacem initio confecisse haud tanti nobis fuisse, ita eadem labefactata, ut ipsa pax in idem pariter discrimen adducatur necessum est) verum id adversa fronte impetere, et siqua fieri potest, penitus subvertere et demoliri. Quocirca sicut nec ex vana aut curiosa circa res alienas sollicitudine profluxerit quod amice vobiscum

²¹ Contemporary copy in *ibid.*, A261, ff. 22v-23.

egimus, hisque rebus nosmet ingessimus, in quibus utriusque Reipub: salus consistit, ita nec temere aut ex vulgi rumoribus ea credidimus, neque fides nostra levibus suspicionibus e malevolorum calumniis enatis nixa est. Attamen certe non possumus non vereri, quo tandem prava quorundam consilia res poterint perducere, discordiarumque semina faecundare, cum iam non sine magno dolore videamus publice, idque sub vestris nominibus exhiberi scriptum sive dissertationem, in qua id quod a praefatis Dominis Ordinibus Hollandiae & Westfrisiae propositum actumque est de securitate pacis firmando, palam et ex professo oppugnatur. Atque hoc priorum nostrarum literarum argumentum erat, breviter exponere quanta utriusque Reipub: mala imminenter, et ni Deus avertat, obvenirent, si ist haec securitas infirmaretur. Cui rite colendae atque observandae anxie seduloque prospicere officii nostri esse duximus, idque ex ardente et Christiano nostro affectu pacem illam atque Unionem inter hanc Rempub et Foederatas Belgii Provincias feliciter peractam, tuendi & conservandi, eaque omnia impediendi et propulsandi, quae eandem concuterent, duasque vicinas nationes, non modo in utriusque exitium sed in reformatae Religionis ubique Gentium manifestum periculum novo bello implicarent. Cumque literae vestrae vos erga pacem et tranquillitatem pariter affectos atque animatos esse testentur, decretumque vobis esse in eadem voluntate fideque perpetuo persistere, curaturis sedulo ea omnia quae ad cultum amoris commerciorumque mutuum pertinebunt, nec proinde permisuris ut quisquam subditorum vestrorum ullo in instituto quod iis adversum concordiaeque noxiun est confirmetur; speramus atque, confidimus a Dominationibus vestris minime permisum iri, ut homines malevoli, publicaeque paci graves, qui alterutrius exitio avide inhiant, in vos aut consilia vestra irreperent aut influerent, eaque transversa ferrent, ad id infringendum & possundandum, quod a vobis conservatum praestitumque iri profitemini: Verum e contra vos pro singulari vestra prudentia et solertia dictorum malevolorum machinationibus modis omnibus obstituros: Et sicut nulli caeterarum Provinciarum in aliquo cessistis, quod ad pacem feliciter ineundam conduceret, sic in nihil quod ad eandem rite colendam conferre possit defuturos: Multo minus, Ei, quod a Dominis Ordinibus Hollandiae et Westfrisiae aquissime et laudabiliter ad pacem tutandam actum est, vosmet opposituros. Unde fiet, ut omnes Provinciae non solum pace cum hac Repub: fruantur, verum concordia atque unione inter se gaudeant, in solatium & laetitiam omnium verae Religionis cultorum, atque in terrorem eius hostium, impiaque eorum spei frustrationem, qui utriusque Reipub: rebus prosperis infensi sunt. Nos quod attinet, certe operam nostram promptissime collaturi sumus iis omnibus promovendis, quae ad prius laudatos fines assequendos ullatenus conducant, quaeque sincera nostra studia erga pacem & salutem Unitarum Provinciarum, vestrumque singulatim demonstrent. Erga quos semper nosmet gesturi sumus, ac bonos nostros Amicos et Foederatos quorum amicitiam plurimi aestimamus quorumque rebus prosperis semper studebimus, easque ardentibus votis contendemus: Deus sapientiae et consilii salutaria, vobis consilia inspirerit resque vestras dirigat et secundet, cuius divino praesidio vos animitus commendatos volumus. Dab: ex Aula nostra Westmonasterii Octobris 26^{to} Anno 1654.

Vester bonus amicus.

OLIVER P.²²

²² Orig. in Rijksarchief in Zeeland: Pr. in *Brief van den Heer Protector van de*

23. Olivarius Protector reipub. Angliae Scotiae et Hiberniae &c. Nobilissimis amplissimisque Dominis Dnis Consulibus et Senatoribus Civitatis Roterdamensis. Salutem.

Nobilissimi Amplissimique Domini,

Quandoquidem Angli Mercatores e Societate, quam Adventureurs vocamus, Nobis supplicaverint, ut bona nostra cum venia in Belgium redire possint atque in idoneo aliquo loco stapulam seu Emporium suum denuo restituere inibique commorari, cum corum Residentia ex occasione nuperi belli aliquandiu intermissa fuerit: aequum duximus eorum hac in parte supplicationi auscultare, et copiam iis facere restituendi, atque iterum locandi Emporium suum in quacunque urbe aut loco intra Unitas Provincias, qui eorum Mercaturae exercendae commodissimus videbitur. Nec non tractandi et pacisendi cum eius loci Magistratibus de privilegiis, quae ad commodiorem eorum Mercaturae usum et exercitium requirantur. Quo circa intellecto a nobis, quod civitas vestra inter alias, animadverso hoc redeundi proposito, dictos Nostros Mercatores ad residentiam suam illic iterum figendam invitaverit; Nos a dictis Mercatoribus Nostris id humiliter rogati, has Literas ad vos scribendas duximus, quo sciatis, tam vestram erga praedictos Mercatores benevolentiam gratissimam nobis fuisse, quam nos paratissimos fore ad omnia eius modi pacta, quae inter Vos et Mercatorum Deputatos ea de re transigentur, Auctoritate nostra rata firmaque facienda. De caetero dominationes vestras bene valere iubemus. Dab. ex Aula nostra Westmonasterii Octobris 27^{mo} An. 1654.

Vester bonus Amicus,

OLIVER P.²³

24. Olivarius Protector Reipub. Angliae Scotiae et Hiberniae &c. Nobilissimis Amplissimisque Dominis Dnis Consulibus et Senatoribus Civitatis Dordracenae. Salutem.

The body of the letter is exactly like the one to Rotterdam except that instead of

quod civitas vestra inter alias . . . Nos a dictis Mercatoribus
it has

quod civitas vestra inter alias praedictos nostros Mercatores eo invitaverit
iisque omnia privilegia quae alibi induita sunt, eorumque Mercaturae exercendae requisita promiserit. Nos a dictis Mercatoribus.²⁴

25. Olivarius Protector Reipublicae Angliae, Scotiae, et Hiberniae &c. Serrissimo Principi Leopoldo Guilielmo Archiduci Austriae, Duci Bur-

Republiek van Engelant, Schotlant ende Yerlant &c. aende edele mogende Heeren Staten van Zeeiland, canden 26 Octobris des Jaers 1654, and in Tweede Briefe with Dutch translations; another in Robert Fruin, "Brieven aan Johan de Witt," in Hist. Genootschap, ser. 3, no. 42 (1919). Contemporary copy in Rawl. MSS., A261, ff. 20v-22.

²³ Contemporary copy in Rawl. MSS. A261, ff. 23v-24.

²⁴ Contemporary copy in *ibid.*, A261, ff. 24-24v.

gundiae &c. Gubernatori et Capitanco Generali Belgii et Burgundiae.
Salutem

Serenissime Princeps,

Remonstratum nobis est per libellum supplicem Guilielmi Yeamans, et Joannis Bowens Mercatorum huius Reipublicae, ex urbe Bristoliae, se Dominos et Proprietarios Navis, cui titulus (The Peter) Richardo Jefferyes Praefecto, in Portu Bristoliae ultimo Julio bona quaedam et Mercimonia dictae Navi imposuisse, ad sc^tti Sebastiani in Hispania transportanda. Dictam vero navem in itinere suo ad sc^tti Sebastiani praedicti 25th Augusti ultimi captam et occupatam a privata Nave bellica, quae ad Opidum Brest in Gallia se pertinere praferebat, Commissionem a Carolo Stuarte nuperi Regis Angliae filio, habere simulabat. Praefectus vero Navis Mercatoria non sine causa metuens, quod si in Opidum Brest adduceretur, et Navis et bona indubiae praedae haberentur; atque a praefecto navis bellicae vafre allactus et invitatus spe dimissionis sub certa pecuniae summa solvenda, si ad Galliam se tetendisse sub Chirographo suo profitetur. Ille doli inscius non illibentur annuit navem et bona pacto potius pretio redimere, quam in solidum amittere. Quo circa impositis sibi Conditionibus auscultans, se ad Galliam cursum tenuisse subsignatione manus suae testabatur. Quo facto, dicta navis bellica, larvam quam prius induerat exuens, se ex Ostenda esse pronunciabat, quo etiam dictam navem Mercatoriam cum onere suo una secum adduxit. Et quoniam praefectus justo metu ad hoc adactus se ad Galliam iter instituisse subscripta manu confirmaverat, Ea propter in Admiralitate Dunkirk id agitur, ut navis scilicet Commeatu in Galliam instructa, bonaque in fiscum cederent. Verum quod res est navis et bona ad praedictos supplices jure pertinent, atque ad sc^tti Sebastiani uti praedictum est tendebat, quod liquido appetat tam ex unanimi consensu Praefecti et Comitum Dunkirkae Examinatorum, quam ex billis Onerationis, quas veras et authenticas esse, jure jurando suscepto Bristoliae confirmatum est, nec non ex juratis testimoniis aliorum plurium coram Praetore Bristolensi, caeterique in eo portu Officialibus Nostris. Quae cum ita sint, justissimis supplicum querelis permoti, non potuimus non literis nostris apud Celsitudinem vestram eorum causa intercedere plurimumque rogatam habemus Celsitudinem vestram, ut re tota ex aequo et bono expensa, cosideratoque quam iniquum sit, ut fraudes, et doli contra id quod certum et verum est obtineant, quamque facile sit vim intentantibus et terrorem objicientibus falsas Confessiones timidis et incautis extorquere quamque saepe coacti sint mercatores ubi Latrociniis Maria infestantur, quo se suaque melius tutari possint ad parum aequas conditiones descendere, nec non quam e re communi sit ut mercatores in Commerciis suis obeundis, contra privatarum Navium bellicarum insolentias defendantur, ut his inquam benigniter perpensis praedictorum supplicum justitissimae causae Authoritate vestra succurrere dignemini. Quo id quod malis artibus ablatum est bona fide absque damnosa dilatione restituatur. De caetero Deus opt. max. Celsitudinem vestram incolumem diu servet. Dab: ex Aula nostra Westmonasterii Novembris 24th Styl. vet. An. 1654.

Vester bonus Amicus,
OLIVER P.²⁵

²⁵ Contemporary copy in *ibid.*, A261, ff. 26v-27v.

26. Olivarius Protector Reipub. Angliae, Scotiae, et Hiberniae &c. Serenissimo Potentissimoque Principi Philippo quarto Regi Hispaniarum &c. Salutem.

Serenissime Potentissimeque Princeps,

Edovardus Ranger, caeterique Mercatores Angli in societatem ascripti per libellum supplicem ad Nos detulere, se plus minus sexennis abhinc, cum Domini et Proprietarii essent Navis, cui titulus (the Peter, and John of Dover) cuius Praefectus erat Johannes Eaton, dictam Navem e Portu Londini misisse ad mercaturam in exteris Regionibus faciendam. Quae a Livorno et Genoa solvens, adque Ulissiponem cursum dirigens, amplio et locupleti Mercimoniorum ad praedictos supplices pertinentium onere referta, cuius valor sexages mille libras monetac Anglicanae adacquavit, in cursu suo ad dictum portum Ulissiponensem a nonnullis vestrae Majestatis navibus capta et occupata fuit. Post eius Captionem continuo dicti supplices Actionem pro nave et bonis recuperandis Madriti in Hispania intenderunt. Ubi postquam quinque hac de causa in Judicio ageretur, de Nave et bonis praedictis restituendis, vel justo eorum pretio renumerando. At cum hactenus justitia dictis supplicibus vel denegata, vel dilata fuerit, nondumque iis juxta praedictam sententiam satisfactum sit, nobis majorem in modum supplicarunt, ut commendatitius nostris literis apud Majestatem vestram eorum causa intercederemus. Quod quidem expensa rei aquitate, deque singulari vestrae Majestatis acquinimitate optime persuasi, haud gravatim fecimus. Quo circa Majestatem vestram enixe rogamus ut acqua huiusc causae consideratione habita, specialis vestri mandati autoritate, citra ulteriore moram juxta latam a Consilio vestro sententiam dictis supplicibus satisfiat, atque illata damna resarciantur. Quo propensae vestrae voluntatis testimonio, Nos ad paria gratitudinis et benevolentiae officia quacunque occasione rependenda obstrictos tenebitis. Atque interea prosperam incolumentem veraque felicitatis incrementa Majestati vestrae ex animo vovemus. Dab: ex Aula nostra Westmonasterii Novembbris 30^{mo} styl. vet. An. 1654.

Vester bonus Amicus,

OLIVER P.²⁶

27. Olivarius Protector Reipub. Angliae Scotiae et Hiberniae &c. Celsis ac Praepotentibus Dominis Dnis Ordinibus Generalibus Unitarum Belgij Provinciarum Salutem.

Celsi ac Praepotentes Domini

Quanquam nihil omnino de singulari Vestra in pertractandis et decernendis rebus Iustitia nec propensa erga populares hujus Reipub. voluntate dubitemus; Quin omnia de Vobis quae cum ab aequissimis Rectoribus tum Amicis optimis expectari possunt Nobis indubitanter polliceamur; Attamen cum solenne sit ijs qui in Judicio causae suae minus confidunt moras nectere et conquisisit ambagibus multisque dilationibus lites involvere et protrahere; Haud supervacaneum duximus sicut nec ingratum Vobis futurum confidimus quod his Literis Nostris aequissimam causam benignissimae Vestrae Considerationi plurimum recommendemus. Rem prout sese habeat ex intus inclusu supplice libello intelligatis Actio per appellationem ceu provocationem supplicis ad supremum Consilium Hagae Comitis transfertur ubi etiamnum pendet. Reus

²⁶ Contemporary copy in *ibid.*, A261, f. 29v-30.

quo Actorem a lite ulterius movenda absterreat quas poterit moras injiciendas curabit. Itaque rogamus Celsas ac Praepotentes Dominationes Vestras ut aequitate rei expensa ei maturius expediendae, et judicio citra damnosam dilationem ferendo, Auctoritatem Vestram interponere velitis. Quo dictae supplici quae jure sanguinis in bona defuncti succedere debeat, administratio bonorum ex Jure concedatur vel saltem ut Reus intra praestitutum aliquod tempus lege experiri, et Literas Administrationis dictae Supplici concessas coram Tribunibus Angliae (ad quae pertinet hac de re cognoscere) confirmare et si qua fieri poterit rescindere cogatur. Certe beneficium hoc aut quicquid aliud hujus Reipublicae popularibus in gratiam nostram factum, Vobis et Reipub. Vestrae subditis haud segniter rependemus. De caetero prospera omnia, et felicia Vobis atque inclytæ Vestrae Reipub. a Deo Opt. Max. precamur. Dab. ex Aula Nostra Westmonasterij 22^{do} Decembris An. 1654.

Vester bonus Amicus,
OLIVER P.²⁷

28. Olivarius Protector Reipub. Angliae, Scotiae, et Hiberniae &c. Illustrissimo Domino Dno Enno Ludovico Principi Frisiae Orientalis. Salutem. Illustrissime Domine,

Literas vestras ex Arce Arricana datas accepimus, quae ubique præ se ferunt benevolum erga nos affectum, et propensam voluntatem: quamque non verbis solummodo exprimere (quod tamen gratissimum nobis fuisse) verum et missis dono falconibus ulterius testari placuit. Ipso quidem munere delectati sumus, at multo magis amicissimo dantis affectu. Et cum Nos vicissim reputaremus quid a nobis proficisci queat, quod vobis pariter quandocunque a gravioribus curis secedere, animumque aliquantisper relaxare placuerit, oblectamento esse poterit (praeter petitam in Literis vestris trajiciendi aliquot equos facultatem, quam libenter concessimus) visum est canes Venaticos mittere. Quo tamen angusto munere nolumus ut amplitudinem nostrae voluntatis metiamini, verum ut majoris Amicitiae Testimonium qualecunque hoc munuscum benigniter aestimetis. De caetero prospera, omnia, et felicia Celsitudini vestrae ex Animo precamur. Dab. ex Aula nostra Westmonasterii Januarii 15^{to} 1654/5.

Vester bonus amicus,
OLIVER P.²⁸

29. Olivarius Protector Reipub. Angliae Scotiae, et Hiberniae &c. Serenissimae Potentissimaeque Principi ac Dominae Dnae Christinae D. Gr. Suecorum Gothorum Vandolorumque Reginae, magnae Principi, Finlandiae, Duci Estoniae Careliae Bremae Verdae, Stetini Pomeraniae Cassubiae et Vandaliae Principi Rugiae, Nec non Dominae Ingrae et Wismariae &c. Salutem.

Serenissima Potentissimaque Regina,

Pergratae Nobis fuerunt literæ vestrae quas illustrissimus et excellentissimus Dominus Hannibal Schsted Dominus de Noragard, Ordinis Serenissimi

²⁷ The original is in *Algemeen Rijksarchief*, St. Gen. 6915, at the Hague. It is indorsed "d. 22 10^{br} 1654, r[ecieved] 21 Martij 1656," making a period of 15 months between the writing of the letter and its receipt.

²⁸ Contemporary copy in *Rawl. MSS. A261*, ff. 33-33v.

Regis Daniae Eques, nobis tradidit. Quique etiam fusius nobis explicit vestram erga nos benevolentiam et propensam voluntatem; seque in omnibus commisso sibi negotio digniter gessit. Evidem non levi beneficio Majestati vestrae nos obstrictos lubenter profitemur, dum tantae Principis egregia in nos studia meritaque quotidie persentiscimus. Quantum vero ad ea quae in literis vestris nobis proposita sunt, is rerum nostrarum inpraesentiarum status est, eaque gravissimae quibus detinemur occupationes, ut neutquam iis hoc tempore satis opposite responderemus possimus. Quandocunque vero magis commoda sese obtulerit occasio, eam lactantur arrepturi sumus, quo non verbis solummodo, se reapse declaremus quanto amicitiam vestram promerendi studio ducamur. Atque illud vobis persuassimum esse cupimus Majestatem vestram eo numero et loco a nobis haberi quo Principem dignitate amplissimam functo feliciter imperio illustrissimam, multasque ob causas amicitia nostra dignissimam censeremus. De caetero Majestatem vestram Divini numinis clientelae animitus commendamus. Dab: ex Aula nostra Westmonasterii Januarii 27^{mo} An. 1654/5.

Vester bonus Amicus,
OLIVER^s P.²⁹

30. Olivarius Protector Reipub. Angliae Scotiae et Hiberniae &c. Serenissimo Principi Leopoldo Gulielmo Archi Duci Austriae, Duci Burgundiae &c. Praefecto et capitaneo Generali Belgii et Burgundiae. Salutem.

Serenissime Princeps,

Per supplicem libellum nobis inscriptum, atque his inclusum intelligat Celsitudine Vestra quid in causa sit quod inpraesentiarum his literis nostris celsitudinem vestram interpellemus. Atque inde liquido apparet quam injustae navis illa cui titulus (The Patience) Ostendae arrestata et detenta fuit, Quamque omnimodo contra legem Admiralitas Dunkirkae huic rei sese immisicut, Cum huius causae cognitio nullatenus ad eam spectaret, sed per expressum Articulum Tractatus inter utrumque Statum ad Admiralitatem Angliae tanquam proprium Tribunal remittenda erat. Ideoque nulli dubitamus, expensa causae aequitate, Celsitudinem vestram efficaciter curaturam, ut Justitia absque ulteriore dilatione supplicibus administretur, nimirum ut dicta navis protinus restituatur, damnaque tam ex detentione quam alias illata plenario compensentur. Quod etiam Celsitudinem Vestram magnopere rogamus, ne si in causa tam indubia justitia vel negetur vel protrahatur, popularium nostrorum precibus adacti, ad ea remedia confugere cogamur, quae jus gentium atque Articuli Pacis Nobis suppeditant: quod tamen non nisi inviti faciemus, cum Amicitiam modis omnibus utrinque promoveri, Commerciaque invicem tuta et secura praestari cupiamus. Deus opt. max. celsitudinem vestram incolumem diu servet. Dab: ex Aula nostra Westmonasterii secundo die Februario An. 1654.

Vester bonus Amicus,
OLIVER P.³⁰

²⁹ Contemporary copy in *ibid.*, A261, f. 33v-34.

³⁰ Contemporary copy in *ibid.*, A261, ff. 34v-35.

31. Olivarius Protector Reipub. Angliae Scotiae et Hiberniae &c. Serenissimo Potentissimoque Principi Philippo quarto Regi Hispaniarum &c. Salutem.

Serenissime Potentissimeque Rex,

Suppliciter nobis remonstratum est quemadmodum intra annos 1630 et 1644. Benjamin Wright Eques auratus, huius Reipub. Mercator, Madriti Residens, grandes pecuniarum summas ad valorem centies mille librarum Anglicarum et ultra in usum Majestatis vestrae ob trajectionem Militum ex Hispania in Flandri obque stipendia copiarum vestrarum quae eo loci sunt expendit. Quarum summarum rationes liquidatae et pro veris agnitaे fuere. In cuius debiti exsolutionem cum in presenti pecunia non suppeteret, placuit Majestati vestrae et Consilio vestro Consignationes in Regios vestros proventus ei dare; Ex quibus ad annos nonnullos, juxta id quod pactum et conventum est accepit verum anno. 1647 eae consignationes illi ademptae sunt, nec aliunde ab eo tempore provisum de Debito recuperando. Adeoque Majestas vestra, ei cerciter nonagies mille librarum monetae Angliae, prout ipse refert, Debitor est. Cuius pecuniae inopia non solum cum familia sua verum plurimi huius Reipub. populares qui creditores sui sunt ad extremam necessitatem et miseriam redigentur. Quocirca visum est nosque ex justitia sibi et Creditoribus suis te neri duximus ad has literas nostras ejus nomine ad Majestatem vestram prescribendas. Quod etiam eo alacriore animo facimus, quandoquidem sicut dictus Benjamin Wright plurima bona officia populo utriusque status, data subinde occasione praestiterit, quam ob causam eum merito plurimi facimus: ita et res vestrae, quem admodum accepimus, pecunia illa, quam tunc temporis, Maj [esta]ti vestrae mutuo dedit, non parum adjutae et sublevatae fuere. Quod beneficium sicuti majestas vestra se benevole accipere tunc temporis testata est, ita nec illius memoriam etiamnum deletam credimus. Deque vestra non solum erga eum justitia confidimus, verum et de illa omni cum favore et benevolentia quam primum expedienda Quod Majestatem vestram etiam atque etiam rogamus, quo beneficio nos ad paria benevolentiae erga subditos vestros officia provt occasio se dederit obstrictos tenebitis. Deus opt. max: Majestatem vestrum diu incolumem servet. Dab: ex Aula nostra Westmonasterii 23rd Feb. Anno 1654.

Vester bonus Amicus,

OLIVER P.³¹

32. Olivarius Protector Reipub: Angliae, Scotiae, et Hiberniae &c: Serenissimo Potentissimoque Principi, ac Domino D^{no} Friderico Tertio Dei gratia Daniae Norvegiae Vandalorum Gothorumque Regi, Duci Slesvici Holsatiae Stormariae et Dithmarsiae, Comiti in Oldenburgh et Delmenhorst Amico et Foederato charissimo. Salutem.

Serenissime Potentissimeque Princeps Amice ac Foederate charissime.

Quandoquidem Amicitiae et Confoederationis Tractatus inter hanc Rempub: et Regnum Daniae feliciter nuperum confectus et stabilitus fuerit, solerti opera et Ministerio Prænobilis viri Dⁿⁱ Henrici Willemson Rosenving, Praefecti Monasterii Draxmarchiensis, et Mat^{is} Vestrae hunc in finem Deputati ad Nos

³¹ Contemporary copy in *ibid.*, A261, ff. 36v-37.

Extraordinarii, Cujus hac in parte studia et Officia gratissima Nobis fuere. Et cum dictus Dominus Deputatus, Expleto publico, quod digniter apud Nos gessit, munere, revertendi facultatem rogaverit. Eum itaque Vestro primum iudicio comprobatum, prudentique rerum sibi commissarum administratione fidelissimum repertum, bene meritis cum Laudibus dimittimus; ac Vestro favori, cuius ob singularem suam in pertractandis rebus solertia, fidem, et prudentiam, incrementa meruit, plurimum recommendamus. Porro quem negotiorum Vestrorum apud Nos gestorem Simonem de Petkumb per Literas hac in parte Nobis exhibitas substituere Mat^{is} Vestrae visum est, Eum benevole quotiescumque aditum petiverit, Negotiorumque ratio postulaverit, admissiri sumus; Nihilque praetermissuri quod ad Amicitiam constanter colendam propensam paratamque Voluntatem demonstrare queat. Caetera praedicto D^{no} Rosenving fusius explicanda relinquimus, Ac interea Mat^{em} Vestram Divinae Benignitatis praesidio animitus commendamus. Dab: ex Aula Nostra Westmonasterii 13^{to} Martii An. 1654/5.

Mat^{is} Vestrae bonus Amicus.

OLIVER^s P.³²

32a.

To Genoa

Olivarius Protector Rei-pub: Angliae Scotiae et Hiberniae etc.
Serenissimo Duci atque Excellentissimis Gubernatoribus Rei-pub
Genuensem. Salutem.

Serenissime Dux, Excellentissimi Gubernatores Amici Charissimi.

Propensam vestram in Nos atque hanc Rem-pub: voluntatem, nec non studia conservandae atque adaugendae bonae Intelligentiae et Amicitiae, quae inter hunc Statum et Rem-pub: Vestram multis retro saeculis intercessit, per Excellentissimum Nobilissimumque virum Ugonem Fiescum Legatum vestrum extraordinarium intelleximus. Quae res cum ex voto Nostro fuerit, dicto Domino Legato reciprocum nostrum affectum, animique in isthac parte promptitudinem significavimus; semperque parati futeri sumus benevolam nostram voluntatem reapse declarare, cuius tantummodo profitendae in praesentiarum suppetit occasio. Atque interea temporis, Serenitati Vestrae, Excellentissimisque Vestris Dominationibus persuasum esse Cupimus, amplissimam hanc Legationem Nobis longe gratissimam fuisse, quemadmodum et virum Nobilissimum, Cui munus hoc traditum est, quique res sibi commissas summâ fide solertia et prudentia administravit, Vestraeque benevolentiae incrementa bene meruit. De caetero prospera omnia et felicia Vobis Vestraeque Rei-pub: ex Animo vovemus. Dab: ex Aula Nostra Westmonasterij Martij 26^{to} 1655.

Vester bonus Amicus

OLIVER P.^{32a}

33. Serenissimo Potentissimoque Principi Philippo quarto Regi Hispaniarum &c.
Serenissime Rex,

Fili et Haeredes Petri Richant Equitis aurati defuncti plures libellos suplices nobis exhibuere, de certa pecuniae summa non ita pridem patri suo, nunc

³² Original in the Danish Archives in Copenhagen. Countersigned by Thurloe.

^{32a} Rawl. MSS. A261, f. 39v.

vero iis a Majestate vestra debita. In quibus graviter conquesti sunt de diutina mora, multisque dilationibus quas in dicti debiti solutione requirenda, in rei suae familiaris jacturam et ruinam experti sunt. Licet idem debitum adeo liquidum sit, ut per Praesidentem et Consilium Majestatis vestrae 25^{to} Junii 1647. per sententiam suam fuerit adiudicatum, nec non Gaza vestra Regia per eandem sententiam intra novem dies post eius promulgationem, ad solutionem eidem Petro Richant efficaciter faciendam condemnata. Et licet Majestas vestra per schedulam suam regalem Chirographo suo munitam et ex Aula sua duodecimo Aprilis 1652 datam dictum debitum agnoverit; ob diversas argenti summas per ipsum Petrum Legatis vestris hic in Anglia tunc temporis residentibus in usum Majestatis vestrae mutuo datas; et ob navem quandam eiusdem Petri piscibus onustam ab eo iniusta ablatam, et Carthagena in usum Majestatis vestrae devenditum; mandando officialibus vestris ut per assignationes aliosque modos efficaces eidem Petro solutio quamprimum fieret, quae tamen nunquam facta est licet crebrae instantiae intercesserint, grandisque pecuniae summa huic negotio procurando insumpta fuerit. Pecuniae vero debita, prout nobis significatur et per schedulas clarius patebit (deductis quatermille Ducatis nummi Cupri Gualtero Ashton ex consensu et ordine filii ipsius Petri in partem 'debiti praedicti solutis) in toto se extendit ad 25369035 Maravedi argenti in pecunia Anglicana ad 20987 libras sterling: 12 solidos et 9 denarios praeter foenus pro dilatione eiusdem a duodecimo Aprilis 1652 usque ad diem hodiernum. Quamobrem praefato Petro Richant defuncto, filii et haeredes eius cum neque appellationem nec recursum superiorem pro recuperatione istius debiti ab æario vestro haberent, ad Nos supplicem in modum pro remedio extraordinario repressaliis scilicet in re tam iusta et liquida concedendis sese applicuere. Nos autem non solum pro meliori de praemissis informatione sed pro benevolo Nostro erga majestatem vestram affectu, Literas nostras ad Don Alonso de Cardenas legatum, Majestatis vestrae apud nos residentem hac de re alias post alias dedimus Quoniam vero dictus legatus vester licet rescribendo promiserit se velle rem illam Majestati vestrae una cum postulatis nostris repraesentare, rationes tamen suas in literis responsoriis subjunxit, quibus contendit, istos filios et haeredes ad ordinarium remedium relinquendos esse, et repressalias minime concedendas. Ideo nos nolentes aliquid nisi Juri Gentium et rationi consonum decernere, totum illud negotium in Consilio Nostro discusiendum comissimus, et convocatis Judicibus Curiae Nostrae Admiralitatis aliasque legum Doctoribus Jure Gentium et Civili versatis visaque dicta Schedula regali proprio Majestatis vestrae Chirographo signata, auditisque ex utraque parte rationibus, maturaque consideratione super omnibus habita determinatum et responsum fuit per dictum consilium nostrum repressalias iuste et secundum Jura Gentium in re tam liquida adiudicata et per ipsam Majestatem vestram signata, si modo post debitam requisitionem apud Majestatem vestram fiendam solutio vel satisfactio non praestetur (propter defectum Justitiae ordinariae) concedi posse et debere. Nos igitur Majestatem vestram de omnibus et singulis praemissis certiore facimus, et per amice Majestatem vestram rogamus, et benevole oramus, uti quam primum, saltem intra tres menses post exhibitionem praesentium dignetur Majestas vestra praedictum debitum persolvere, et eisdem filiis et haeredibus vel eorum procuratori ad illud negotium sufficienter constituto pro debito antedicto efficaciter satisfacere. Adeoque opus Justitia plenum, et

Majestate vestra dignum, et partibus satisfactorium, et nobis gratissimum praestabitis. Sin autem (quod absit) intra eodem tres menses post exhibitionem praesentium talis satisfactio eisdem haeredibus non reddatur, Nos iuxta præfatam deliberationem Consilii Nostri in isthoc casu ad concessionem represalarum in forma debita propter Justitiam in praemissis denegatam procedere intendimus, prout de Jure debemus. De caetero Majestatem vestram divinae benignitatis praesidio commendamus. Dab. ex Aula nostra Westmonasterii Aprilis tricesimo Anno 1655.

Majestatis vestrae bonus amicus
OLIVER P.³³

34. Olivarius Protector Reipub. Angliae Scotiae et Hiberniae &c. Celsis ac Potentibus Dominis Ordinibus Zelandiae bonis Amicis ac Foederatis nostris. Salutem.

Celsi ac Potentes Dni boni Amici et Foederati,

Harum exhibitem Conradum Coenen Capitanum emeritum in legione Tribuni Killigrew, sub vestris auspiciis mereri summo fervente studio, his literis nostris celsis ac potentibus vestris dominationibus recommendamus. Qui cum gratiam nostram pro vestra humanitate ac benevolentia plurimum apud vos valitaram confideret, petiti, uti quandoquidem capitaneus Ketleby, ex eadem legione, diem nuper obierit, ipse nostro apud vos interventu in defuncti locum sufficiatur. Hoc virtutis incitamento ac praemio alios ad bene merendum provocabit. Nosque ad paria et majora gratitudinis et benevolentiae officia quacunque data occasione referenda hoc vestro beneficio devictos tenebitis. De Caetero Coepit et conatus vestris summus ille Exercituum Ductor faveat et praesit. Dab: ex Aula nostra Westmonasterii May 25th 1655.

Vester bonus amicus
OLIVER P.³⁴

35. Serenissimo Potentissimoque Principi Philippo quarto Regi Hispaniarum &c. Serenissime Potentissimeque Rex,

Marchio de Leda praefectus Classis Majes[t]atis vestrae ad oram Flandricam, et legatus vester ad nos extraordinarius fusius nihil dubitamus, Majes[t]ati vestra declarabit, quam gratum id Nobis fuerit, quod Majestatis vestra hoc benevolentiae propensaque suae erga nos voluntatis indicium exhibuerit, missa ad nos extraordinaria legatione, quae supremam huius Reipub. potestatem nobis delatam gratularetur nec non quanti Majestatis vestrae necessitudinem et Amicitiam merito estimemus. Adeoque supervacaneum erit vel gratitudinem nostram, vel quantum hinc Majestati vestrae devicti sumus sigillatim exponere. Quandoquidem vero dictus Marchio expleto publico quod digniter apud nos gessit munere revertendi facultatem rogaverit. Nos teneri duximus ad eum Majestatis vestrae judicio comprobatum prudentique rerum sibi commissarum administratione praestantissimum repertum bene meritis cum laudibus dimittendum, Vestroque favori, cuius ob singularem suam fidem, solertia, et prudentiam incrementa meruit, plurimum recommendandum. De caetero

³³ Contemporary copy in *Royal MSS. A261*, ff. 42-43.

³⁴ Contemporary copy in *ibid.*, A261, f. 45v-46.

Majestatem vestram divinae benignitatis praesidio animitus commendamus.
Dab. ex Aula Nostra Westmonasterii Junii 12^{mo} 1655.

Maj^{tis} vestrae bonus amicus,
OLIVER P.³⁵

36. Olivarius Protector Reipub: Angliae, Scotiae, et Hiberniae etc. Serenissimo Potentissimoque Principi ac Domino D^{no} Carolo Gustavo D. Gr. Suecorum Gothorum Vandalorumque Regi, magno Principi Finlandiae, Duci Estoniae, Careliae, Bremae Verdæ Stetini Pomeraniae Cassubiae, Principi Rugiae, D^{no} Ingriae et Wismariae, Nec non Comiti Palatino Rheni Bavariae Juliaci Clivia et Montium Ducis etc. Amico et Con federato suo charissimo. Salutem.

Serenissime Potentissimeque Rex,

Cum Serenissima Potentissimaque Princeps ac Domina D^{na} Christina nupera Regina Sueciae gloriuae memoriae iampridem miserit ad Parlamentum Reipub: Angliae, quod tunc praefuit, Nobilem Virum Benjaminum Bonell Ordinarium suum Commissarium qui hic commoraretur, eaque procuraret quae ad amicitiam fovendam Libertatemque Commerciorum invicem conservandam conferre possent, Quae-potestas ei deinceps a Ma^{te} Vestra renovata fuit. Et cum Ma^{ti} Vestra Visum fuerit dictum Vestrum publicum Ministrum, digniter peractis ijs, quae curae fideique ejus credebantur, Literis Vestris revocare. Nos sincero ejus studio et Laudatissimis Officijs, quibus Amicitiae bonaue inter utramque Gentem intelligentiae conservandae semper incubuit, permoti, non potuimus non egregiam illam quam de bene meritis ejus erga utrumque Statum concepimus Opinionem, Ma^{ti} Vestra Significare, Atque eundem ex mandato Vestro Regio redditum suum maturantem sine singulari Suae fidelitatis et Solertiae testimonio dimittere; Ut quam apud Nos non Levem gratiam ob tam utiliter praestitam operam, remque prudenter administratam iniverit, eandem apud Mat^{em} Vestram, cum Vobiscum fuerit, auctam et cumulatam magis adinveneriat. Caetera fusius ei coram explicanda relinquimus, Atque interea Mat^{em} Vestram divinae benignitatis praesidio animitus commendamus. Dab. ex Aula Nostra Westmonasterij 20^{mo} Junij An. 1655.

Ma^{tis} Vestrae bonus Amicus,
OLIVER^s P.³⁶

36a. Illustrissimo Dno Anthonio Guntero Comiti Aldenburgico &c.
Illustrissime Domine.

Benevolam illam animi tui in Nos propensionem, quam Literae tuae ubique profitentur, Nos intimo quo par est affectu amplexamur. Et quod conservandae Nostrae gratiae ardorem inflictum tibi esse dieis, sicut gratissimum id Nobis est, ita omni hac in parte sollicitudine te facile liberamus; gratiam enim Nostram cum ob egregias tuas et teipso dignas virtutes, tum ob singularia in Nos merita ita firmiter totusque possides, ut eam nulla Locorum intercapedo poterit divellere, Quodque benevolentiam erga Nos tuam non tantummodo verbis prolixe significare, verum misso cervorum munere reapse testari placuerit, id

³⁵ Contemporary copy in *ibid.*, A261, f. 48.

³⁶ Original in the Swedish Archives in Stockholm.

abundantiae tui in Nos affectus merito tribuimus. Quod Nos ad omnia gratitudinis et benevolentiae officia referenda, siqua in re Amicitia Nostra ex usu tibi futura sit, quounque tempore devinctos tenebit. De caetero prospera tibi et felicia ex animo precamur. Dab: ex Aula Nostra Westmonasterii Julii 13th Anno 1655.

OLIVER P.^{36a}

37. Olivarius Protector Rei-pub: Angliae Scotiae, et Hiberniae &c. Serenissimo, Potentissimoque Principi ac Domino D^{no} Friderico Tertio Dei Gratia Daniae Norvegiae Vandalorum . . . Salutem.

Serenissime Potentissimeque Rex, Bone Amice.

Accepimus per Libellum supplicem quorundam Mercatorum hujus Rei-pub: Navem quandam Anglicanam, cui Titulus (ye Fortune) Johanne Nichols Praefecto, Gedani oneratam, Angliamque ultimo Decembri redeuntem, ad Insulas de Lunis dictas infra Mat^{is} Vestrae Dominia infelici casu terrae impiegisse, ubi dictae Navis Onus ex Lanis, pannis Lineis caeterisque Mercimonij magni pretii, ab ejus Loci incolis per Vim ablatum et detentum est, non modo contra jus commune, sed et contra expressum nuperi Foederis Articulum, ubi cautum est in 8^{vo} Articulo, Quod si circa alterius partis Littora alterutrius Confoederatorum ejusque Subditorum ac incolarum Naves Vadis haerere, vel Scopulis allidi, aut quoconque Casu Naufragium facere contigerit, praedictae Naves cum omni apparatu bonis et mercibus, vel quidquid ex illis superfuerit, Dominis ac Proprietarijs suis restituentur, uti plenius in ipso Articulo videre est. Nos vero nihil dubitamus quin is sit Mat^{is} Vestrae animus, ut omnia in dicto foedere nuperum inter Nos inita comprehensa firmiter observata velit, eaque a Subditis suis efficaciter praestari curabit, quem ad modum et Nos ex parte Nostra ea omnia et singula sincere praestanda recipimus. Ideoque confidentius Mat^{em} Vestram rogamus uti cum primum de hac illata popularibus hujus Rei-pub: injuria per has Literas Nostras resciverit, Subditis suis dictorum Locorum Incolis firmiter et cum effectu mandare velit, Ut dictae Navis Onus integrum atque imminutum protinus restituant, nec non ut damna ex iniusta detentione nascentia plenario resarciant. Hoc aequitati naturali bonaque quae inter Nos invicem et Ditiones Nostras intercedit Amicitiae consentaneum erit, quam Nos intactam atque illibatam conservare omni meliore modo Satagamus. Deus Opt. Max: Mat^{em} Vestram incolumem diu servet. Dab: ex Aula Nostra Westmonasterij 26th July An. 1655.

Vester bonus Amicus.

OLIVER P.³⁷

38. *To Charles Gustavus of Sweden*

Serenissime Potentissimeque Rex, Bone Amice,

Accepimus Mat^{is} Vestrae Literas per Nobilem Petrum Julium Coijet Haereditarium in Bengsboda Mat^{is} Vestrae Secretarium, et Collegij Commerciorum Adssorem, qui Mat^{is} Vestrae nomine Tractatum Nobis extradidit a Nostris et Serenissimae Potentissimaeque Dn^{ae} Christinae nuperae Reginae Sueciae, Commisiarijs et Plenipotentiarijs in Suecia non ita pridem conclusum, prout is a

^{36a} Rawl. MSS. A261, f. 51.

³⁷ Original in the Danish Archives in Copenhagen.

Ma^{te} Vestra ratificatur. Eodemque Tractatu a Nobis pariter ratificato, juxta quod in Articulo dicti Tractatus convenerat, Nos ejusdem Ratificationem ad Ma^{tem} Vestram per Nobis sincere fidelem et dilectum Nobilem hunc Edvardum Rolt unum e Nobilibus interioris Nostri Cubiculi transmisimus. Cui insuper in Mandatis dedimus uti Ma^{tem} Vestram de sincero Nostro in eam, Regnumque ejus, affectu, deque constanti Nostro proposito non solum conservandae Amicitiae bonaequae quae inter utramque Nationem intercedit intelligentiae verum et ejusdem omni meliore modo adaugendae certiore faceret. Quocirca Ma^{tem} Vestram rogamus uti eundem benigniter admittere, fidemque ijs quae a parte Nostra propositurus est adhibere dignetur. Quibus finientes Ma^{tem} Vestram divinae clientelae ex animo commendamus. Dab. ex Aula Nostra Westmonasterij 27^{mo} Julij An. 1655.

Ma^{tis} Vestrae bonus Amicus,
OLIVER^s P.³⁸

39. *To Charles Gustavus of Sweden*
Serenissime Potentissimeque Rex,

Quod Majestatem Vestram his Literis Nostris interpellamus, id facimus freti bona illa quae inter Nos intercedit Amicitia, quae crebro usu mutuaequae benevolentiae Officiis prout Occasio tulerit, invicem praestans coli et foveri amat. Dolemus quidem infortunium, quod iuveni cuidam Anglo, cui nomen Richardo Broke infra Ditionem Vestram nuper accidit, is cum ad Plesco commercandi causa commoraretur, et satis quaestuosam illic Mercaturam exerceret aliorum Mercatorum, ut inter eiusmodi homines fieri assolet, invidiam obrem sibi prospere affluentem conflavit. Et cum raro modum servet improbitas, factum est ut quatuor aut quinque Belgae eum stato tempore vi adorirentur. Contra quos ut sese defendereret post plagas et vulnera accepta bombardulam, quam sui tutandi causa secum gestabat, displosit, Unumque ex aggressoribus peremit, sed ea propter ad custodiam raptus, metuuntque eius familiares et propinquai nequid durius contra eum statuarat. Qui cum gratiam Nostram pro vestra humanitate et benevolentia plurimum apud vos valitaram confiderent, Nobis supplicarunt uti Literis Nostris apud Ma^{tem} Vestram eius causa intercedere velimus. Quod facere haud gravati sumus dictum juvenem ad Regiam vestram benignantatem et clementiam suppliciter configuentem miseratione veniaque dignum judicantes, utpote qui non malo animo aut consilio vitam cuiquam nequiter abstulit, sed magnis Laccessitus iniuriis solummodo vim vi repulit. Quocirca Ma^{tem} vestram magnopere rogamus uti si post habitum examen rem ita se habere dictumque juvenem non prava Voluntate sed se defendendo alterum occidisse constiterit Matas Vestra eum pristinae Libertatis restitui, bonaue et facultates suas sub Arresto etiam nunc detentas liberari quam primum jubere velit. Hoc Nobis gratissimum erit, qui quaeviscunque Ma^{tis} Vestrae benevola erga Nos officia paribus gratae propensaeque Voluntatis indicis libentissime compensabimus. Deus Opt. Max: Ma^{tem} Vestram incolumem servet. Dab: ex Aula Nostra Westmonasterii Augusti secundo An. 1655.

Vester bonus Amicus,
[OLIVER P.]³⁹

³⁸ Original in the Swedish Archives in Stockholm.

³⁹ Original not signed is in the Riksarkivet at Stockholm.

40. Olivarius Protector Reipub. Angliae Scotiae et Hiberniae &c. Celsis ac Potentibus Dominis Dominis Ordinibus Hollandiae Amicis nostris Charissimis Salutem.

Celsi ac Potentes Domini,

Remonstratum nobis est per libellum supplicem Thomae et Gulielmi Lower se per extremum Testamentum Nicholai Lower defuncti, legitime a se conditum haeredes suos scriptos esse, virtute cuius testamentariae donationis res et bona nonnulla in Hollandia ad dictum Testatorem immediate ante mortem suam pertinentia, indubitato jure, iis dictis suis haeredibus obvenire debent; cum et dictus Testator quo tempore testamentum condidit testabilis fuerit, legitimaeque solennitates ei condendo adhibite, nihilque in lege subsit quare dicti haeredes ab adeunda sua haereditate arceantur. Attamen licet Actionem suam hac de re Hagae-Comitis plurimis capropter factis impensis diu abhinc instituerint, ea tamen est ex adverso litigantium potentia, ut ab iis jure suo consequendo adhuc repellantur, et conquisis dilationibus non exiguae rei suae familiaris iacturae crucientur. Nos acquitate huius causae expensa eandem Celsis ac Potentibus Vestris Dominationibus recommendatam cupimus. Vos magnopere rogantes, uti tribunalium vestrorum Judicibus mandare dignemini, ut expeditum jus dictis Actoribus reddatur, quandoquidem non multum intersit si Justicia denegetur, vel si longum atque inutiliter differatur. Nos vero pro singulari vestra prudenter et in decernendis rebus spectatissima integritate quae plurimis indicis nobis innotuere vos eam circa hanc causam rationem inituros confidimus, quo ii ad quos jure pertinent in res et bona defuncti quam primum succedant. Quibus finientes Celsas ac Potentes Vestras Dominationes Divinae benignitati commendatas cupimus. Dab. ex Aula Nostra Westmonasterii 10^{mo} Aug: ann 1655.

Vester bonus amicus,

OLIVER P.⁴⁰

41. Christianissimo Gallorum et Navarrai Regi

Serenissime Potentissimeque Rex,

Ad Majestatem vestram scribendi parum grata sese offert impraesentiarum occasio quandoquidem hae literae nostrae mercatorum huius Reipub. iustissimas querelas continent, quorum naves in Portu-Gratiae in Normannia diu abhinc Arresto implicitae atque occupatae, ab earum proprietariis insigni rerum suarum detimento, praeter fas et acuum per officiales et ministros vestros etiamnunc inibi detinentur. Qua de re postquam cum Domino de Burdeaux legato vestro ad nos prout ratio tuelerit, expostulassemus, speravimus id remedium ahibendum quod rei aequitas exigebat sed cum nihil inde profectum sit, verum dicti proprietarii a navibus bonisque suis recuperandis adhuc depellantur, cumque ad nos supplices confugerent, deque illatis sibi iniuriis haud immerito conquererentur, non potuimus aequissimis eorum precibus deesse quin Majestatem vestram (de qua nihil non regia vestra justitia et clementia dignum confidenter nobis promittimus) his de rebus certiore faceremus. Certe nonsolummodo Juri Gentium atque aequitati naturali adversatur ut mercatores qui Amicorum portus pacifice intrant, seque justitiae et protectioni eius loci credunt, quem commercandi causa adeunt, hostiliter inibi occupentur atque instar praedae habeantur.

⁴⁰ Contemporary copy in Rawl. MSS. A261, f. 54.

Verum et hoc' benevolentiae illi quā subditos vestros in portibus nostris negotiantes semper complexi sumus apertissime repugnat. Licet enim virtute Re-pressalium nonnullae Gallorum naves mari captae fuerint attamen portuum et stationum nostrarum securitate et beneficio iis uti fruique liberum semper fuit. Quod nisi detur necēsario sequuturum est, ut omne inter utramque nationē commercium non solummodo labefactetur atque imminuat, verum ut penitus intercidat totumque collabatur. Adeoque nihil minus expectare possumus quam ut Maj[es]tas vestra firmiter atque efficaciter mandare velit ut Anglorum naves una cum onere suo in praedicto vestro portu vel alibi detentae quamprimum liberentur quaeque inde haud levia damna sustinuere resarciantur. Quod insuper Majestatem vestram rogamus. Dab: ex Aula Nostra Westmonasterii 22^o Augusti Anno 1655.

OLIVER P.⁴¹

42. *To the States General of the United Provinces*
Celsi ac Praepotentes Domini,

Literas ultimo Octobri ad Celsas ac Praepotentes Dominationes Vestras dedimus de Societate Anglorum Mercatorum quos Adventurarios appellamus, certis et convenientibus in Locis infra Ditio[nem] Vestram restabilienda, cum eorum Residentia nuperi belli Occasione al[i]quandiu intermissa esset. Quanta vero commoda et beneficia et dictorum Mercatorum Stapulis seu Emporijs apud Vos Locatis, Utrique Natio[ni], tam quoad Amicitiam inter utriusque populum fovendam, quam rem mer[ca]toriam invicem promovendam acrevere, longa illa annorum series in qua praedicti Adventurarij Belgium Vestrum frequenterunt contestari poterit. Unde et plurima ijs sub solennibus pactis et foederibus alterutrinque initis indulta sunt privilegia, certaeque sedes olim assignatae quo lane[a] hujus Reipub: Opificia convehere atque inde commodius divendere possent. Quo magis mirandum est tantas in re, quae utriusque populi hau[d] leviter intersit, difficultates longasque dilationes injectas esse, quas[i] nova Nobis concedenda petijssemus non Vetera solummodo renovari. Id certe intempestivum est post foedus mutui intercursus atque arctior[is] Amicitiae recenter ictum, pristina Mercatorum privilegia plurimis Legibus sancita longoque temporis tractu confirmata quasi in dubium iterum devocare. Quocirca necessarium duximus Celsas ac Praepotentes Dominationes Vestras per amice denuo rogatas habere, sicuti et his Literis Nostris rogamus, uti dictam Societatem pristino Vest[ro] favore suscipere dignemini, quo in eiusmodi Locis quae Mercaturaे eorum facienda maxime commoda videbuntur Emporia sua constitueri possint. Atque iisdem immunitatibus, exemptionibus et privilegijs quibus antehac utantur fruanturque. Hoc propensam Vestram ad firmissiman Amicitiam inter utrumque Statum consolidandam, omnesque Offensiones quae animos quoquo modo abalienare possint evitandas voluntatem testabitur, Nos que ad reciproca benevolentiae Officia Vobis Subditisque Vestris prout occasio tulerit praestanda obstrictiores reddet. Dab: ex Aula Nostra Westmonasterij Augusti 24^o An. 1655.

Vester bonus Amicus,

OLIVER^s P.⁴²

⁴¹ Contemporary copy in *ibid.*, A261, f. 54v.

⁴² The original with the right hand edge in bad condition is in Algemeen Rijksarchief, St. Gen. 6915, in the Hague; copy in Rawl. MSS., A261, f. 55.

43. *To Charles Gustavus of Sweden*
Serenissime Potentissimeque Princeps.

Et si non dubitamus quin praesentium lator Andre vir strenuus et generosus, qui Pedemontanis contra Ducem Sabaudiae nuperpraefuit, et Reformatorum partes fortissime defendit, cum ob summum suum in Mat^m Vestram studium cultumque, tum ob insignem Virtutem cuius singulare specimen jam edidit Vobis commendatus gratusque sit futurus, Eum tamen hac Nostra Commendatione Ma^t Vestrae gratiorem fore confidimus. Id quidem solita Vestra in Viros fortes benevolentia, et sincerus Noster in Vos affectus de Vestra Amicitia Nobis promittit. Si igitur Vestra Ma^{tas} praedictum Virum sub prosperrimis Vestris auspicijs merendi cupidissimum benigniter militiae suae adscriperit, et alicui muneri praefecerit, Non tam multis ejus meritis quam Nostrae commendationi plurimum ponderis tribuerit, illumque aeternum devinxerit, atque Nos ipsos ad paria gratae mentis Officia referenda obstrictiores reddiderit. Mat^m Vestram quam diutissime Sospitem vovemus. Dab: ex Aula Nostra Westmonasterij 19th Octobris An. 1655.

Vester bonus Amicus,
 OLIVER P.⁴³

44. *To the Swiss Cantons*

Olivarius dominus protector reipublicae Angliae, Scotiae et Hiberniae, suorumque ditionum. Illustribus et amplissimis consulibus scultetis landamannis et senatoribus cantonum Helvetiae evangelicorum, nempe Tigurini, Bernensis, Glaronensis, Basilicensis, Schaffhusiensis, Abbatiscellani, nec non ciudem religionis confoederatorum in Rhacatia, Genevae, Sanctogalli, Mulhusii et Biennac, amicis nostris charissimis salutem.

Illustrissimi domini.

Cum nobilis vir Johannes Jacobus Stokarus, reipublicae vestrac delegatus post publicum munus, ab eo prudenter expletum, domum propediem reversurus sit, acceptis a nupero parlamento reipublicae Angliae literis quae propensum vestrum studium erga pacem huius reipublicae quod et literae vestrae ubique prae se ferunt, ei pergratum fuisse testentur; visum est nobis hac data occasione palam facere, et declarare sicut et his nostris literis declaramus nos et vos et amicitiam vestram permagni aestimare, promptosque et alacres futuros ad bonam intelligentiam atque amicitiam in mutuum utriusque reipublicae emolumenitum conservandam atque augendam. Idque eo quidem libentius propter insignem vestram operam in causa religionis et libertatis asserenda fideliter praestitam, in quibus tutandis adhuc et conservandis nova in dies honoris et felicitatis incrementa vobis a Deo optimo maximo precamur, qui sub aliis benedictionis suae fideles suos servos proteget et custodiet. Cui caelesti benedictioni et vos et res vestras animitus commendamus.

Dabamus ex Alba Aula
 decimo die Januarii styl.veter.anno 1653/54

Vester bonus amicus
 OLIVARIUS P.⁴⁴

⁴³ Original in the Swedish Archives in Stockholm.

⁴⁴ Th. Ischer, *Die Gesandtschaft der prot. Schweiz bei Cromwell* (Bern, 1916), 107-8, from the original in Zürich archives, A222 II, no. 138.

APPENDIX III

The following are some of the items which have come to light since the publication of the first two volumes and since the foregoing pages were printed.

VOLUME I

October 6, 1630

- Lease by Clare Hall to Oliver Cromwell of Ely, Esq., of "one plot of ground in Newnham in the city of Elie, 40 yards long even so as it lieth between the lands of the Almoner of the Abbey of Elie, East and West abutting on the highway South and against the close of the Prior of Ely called Paradise North" for 21 years at 8d. a year.

(Signed) OLIVER CROMWELL.¹

October 6, 1636

This Indenture made the Sixth day of October in the twelvte yeare of the Raigne of our Soveraigne Lord Charles by the grace of God of England Scotland, France, and Ireland, King defendour of the faith &c Betwene the right worshipfull Thomas Paske Doctor of Divinitie Master or Keeper of the Colledge or Hall Commonlie called Clare Hall in the Universitie of Cambridge and the fellowes of the same Colledge on the one parte And Oliver Cromwell of the Cittie of Elie, Isle of Elie and Countie of Cambridge Esquire on the other parte Witnesseth that the said Master and fellowes, with one assent and consent Have demysed graunted and to ferme letten, and by these presents doe demye graunt and to ferme lett Unto the said Oliver Cromwell, One peice or parcell of ground with two ponds in the same late in the occupation of one Thomas Hildersham even soe as it lyethe betwene the Hall called the Bell hoult of the north parte and the garden late in the occupation of the said Thomas Hildersham of the south parte conteyning in lengthe at the head abutting upon the northe next unto the Vinyard of the Lord Bishop of Elie Three-score and tenn yards, And it conteyneth in lengthe from the said Vinyard of the southe Three-score and tenn yarde and one foote And it conteyneth in breadth on the west part Twentie and Sixe yarde and two foote, And in the head next Lindislane it conteyneth fowrtene yarde, Also in the mydest it conteyneth Twentie nyne yards To have and to hold the said peice or parcell of ground afore demysed with all and singular thappurtenances unto the said Oliver Cromwell his heires executors or assignes from the feast of St Michaell Tharchangell last past before the date hereof unto the full ende and tearme of one and twentie yeares from thence next ensuing fullie to be compleat and ended yeilding and paying therefore yearlie during all the said tearme unto the said Master and Fellowes, their Successors or certaine Attorney at the feast of Thanuntiation of the blessed Virgin Marie at and within the Common Hall of the said Colledge twoe peckes of good and marchandizable wheate sweete cleane and well dressed, And two pecks of good and marchandizable Maulte of Barley well dried and cleane dight, Or for default of deliverie of the said wheate and Maulte or any part thereof, to pay to the said Master and fellowes, their Successors or certaine Attorney soe much readie and current monye of England after the rate and price as the best wheate & maulte shalbe sould for in the markett of Cambridge the next markett day before the said wheate and maulte shallbe due without fraude and covin And at the feast of St Michaell Tharchangell the summe of one shilling fowre pence of good and lawfull

¹ Camb. Antiq. Soc. Proc., xxxvi, 104, from *Clare MSS.*

monye of England And if it shall happen the said yearlie Rent of monye wheate and Maulte, or the summe of mony due for the same wheate and Maulte to be behinde unpaid in parte or in all by the space of twentie dayes next after either of the said feast dayes of payment and delivery as aforesaid, That then this present lease shalbe utterlie voyde, and it shall and may be lawfull to and for the said Master and Fellowes their Successors or certaine Attorney into the said peece or parcell of ground with two pondes to reenter and the same to have again reposesse and inioye as in their former right, And the said Oliver Cromwell his Executors and Assigines from thence cleerlie to expell amove and putt out this Indenture or any thing therein conteyned to the contrarie thereof in any wyse notwithstanding And the said Oliver Cromwell doth covenant and graunt to & with the said Master & fellowes and their successors by these pre'tes That he the said Oliver Cromwell his executors and Assigines shall from tyme to tyme during the said tearme at his and their owne proper coste, and charges, sufficientlie hedge and ditche the demysed premisses (yf any such reparacons be required thereunto) And the same soe sufficiently hedged, ditched, and fenced at the ende of the said tearme shall leave and yeild upp unto the said Master & fellowes & their Successors accordinglie Provided alwayes that it shall not be lawfull for the said Oliver Cromwell his executors administrators and Assigines to alienate or sett over the said demysed premisses, nor any part nor parell thereof for his whole tearme to any person or persons whatsoever without the lycence and consent of the Master and more part of the fellows of the said Colledge or their Successors first had and obtayned in writing under their hands (except it be by last will and testament) Provided also that that person and persons to whom the said demysed premisses or every or any part thereof shalbe soe given graunted alienated sould Assigned and sett over for the whole tearme of yeares either by last will and testament or by lycence & consent shall within three monethes next after such gifte graunt alienation setting over or deathe of the said Oliver Cromwell repaire and come unto the said Master & fellowes or their Successors with request to have the same premisses and everie part thereof renewed and regraunted in his or their owne proper name or names for the number of yeares then to come and not expired The which newe regraunt the said Master and Fellowes for them and their Successors doe Covenant and promise to make and deliver accordingly without taking anything therefore but the ordinarie charges and fees for writing and sealing thereof In witness whereof to the one part of these Indentures remayning with the said Oliver Cromwell the said Master and fellowes have putt their common seal And to the other part thereof remayning with the said Master and Fellowes the said Oliver Cromwell hath putt his seale Interchangable the day and yeare first above written. Anno Domini 1636.²

To all officers and soldiers in the Parliament's service.

These are to require you to permit the bearer thereof, Thomas Hunt, major, with his four servants, five horses, and his arms, with his baggage, being two portman-teaus with his own goods, to pass to Hermitage, in the county of Dorset, without any let or molestation, and there quietly to abide, not doing anything prejudicial to the State. Given under my hand this 7th of October, 1645.

OLIVER CROMWELL.³

² J. R. Wardale, *Clare College Letters & Documents* (Camb., 1903), pp. 24-28. The editor adds that the "signatures and seal are unfortunately removed." Cp. forthcoming vol. iv of this work *sub Dec. 18, 1656.*

³ James Waylen, "The Wiltshire Compounders," *Wilts Arch. & Nat. Hist. Mag.*, xxiv (1889), 90-91.

May [21], 1648 (page 610)

Apparently after he left Swansea Cromwell addressed a letter "to the Admiral in Penarth,"⁴

[October, 1648].

Joyfull Newes From Lieutenant Generall Cromwel Concerning The Kings
Majesty, and the Treaty; and His Resolution for Peace.

On Satterday last being the 7. of this instant October, a Letter came to the Committee at Derby house from Lieu.Gen.Cromwell, purporting, his great and earnest Desires for Peace, and his Propositions touching the Kings Majesty, and the Commissioners for the Treaty; Desiring, That nothing may retard or obstruct so great and happy a Work, but that the Treaty may go on with all possible speed; to the end, that all differences may be composed between the King and his people, without the shedding of more bloud, and that a generall peace may be unanimously concluded of, and effectually established throughout all his Majesties Realmes and Dominions.

The said Letter further intimated, that the differences in Scotland are brought to a period, and all armes and acts of hostility fully concluded of, Monro and Lanerick to depart the Kingdom, and some Officers of note, the rest of that party to depart to their owne homes, and to take an Oath never to ingage against the Parliament of England for the future.

There is many other excellent [sic] and declaratory speeches contained in the said letter, expressing the ardent affection of the Lieut.Gen. for peace, which was

Signed O. CROMWELL.⁵

To the Citizens of London.

Concerning the Kings Majesty, the Parliament, the City,
Army, and Kingdome.

Right Honorable,

Here hath lately been called a Generall Councell of Officers, consisting of the Northerne Brigade, whose results acquiesse and tend chiefly to the safety and preservation of your Honourable City, and to the welfare and tranquility of our English Nation; as appeares by the most excellent demonstration of Lieu.Gen. Cromwell, at the Councell table, in presence of divers Colonels, Lieut. Colonels, Majors, and Captains, who declared, That he was willing to wade through all troubles and difficulties, for preservation of the peace and tranquility of this bleeding Kingdom, and would sacrifice his life for the peace and liberty of the

⁴ Dillwyn, *Contributions toward a History of Swansea* (1840), p. 29, quoting the *Common Attorneys' Account*.

⁵ His Majesties Gracious Message To the Army for Peace (Oct. 10, 1648). After the above summary follows A Declaration of the Marquis of Argyle, and Lieut. Gen. Cromwell.

Sir

The Marq. of Argyle entred Barwick on Satterday last, seven hundred of the other Scots marched out, and are disbanded, Argyle forthwith surrendred it to Lieu. Gen. Cromwell, who hath placed Col. Overtons Regiment in it, and the Lieutenant Colonell is Deputy Governor at present, and Orders are gone out for the surrender of Carlisle.

The Marq. of Argyll hath invited Lieut. Gen. Cromwell to march with him to Edinburgh, whither they are now going, but the Lieutenant General intends not to stay, but forthwith to return back for England.

subject, and for dissipating the dismal cloud of Malignancy, which threatens ruine to all the well-affected within the Nation.

And for the better propagating of the said work, the said Lieutenant Generall (our worthy and ever honored Patriot) hath declared his ardent and zealous affection to his Excellency the Lord Generall; protesting, That he will live and dye with him, for the obtaining and faciliating the just Demands and Desires of the Army, specified in their late Remonstrance, and that he doth most really and freely concour [sic] with them, for the speedy executing of impartiall Justice upon all Offenders whatsoever; intimating, that he doth verily believe they are things which God puts into the harts both of Officers and Souldiers, and that the great Jehovah of Heaven is pleased to manifest his presence unto them, in pursuing and prosecuting so pious a worke, so much tending to the honour of his holy Name and the peace and tranquillity of all his people on Earth; which declaratory expressions, have presented to his Excellency the Lord Gen.Fairfax, and

Signed

O. CRUMWELL⁶

Knottingley neer Pontefract

2. Decemb. 1648.

VOLUME II

March, 1649.

Cromwell wrote the Navy Commissioners that the summer fleet must be at sea, especially the Irish squadron where the enemy is like to be very strong.⁷

June 26, 1649 (page 83 and note 111)

To Colonel John Moore

You are with all convenient speede to transport your foure new raysed Companyes to Dublin for ye service of Ireland under your owne comande, or under ye comande of your Lieutenant-Colonel John Jackson and then you are to receave Orders from Col: Jones.

O. CRUMWELL⁸

June 26, 1649

July 20, 1649

Cromwell signed an order to pay Col. Daniel Axtell £2250 for the troops he commands in Ireland.⁹

To all Officers and souldiers under my Command, And all others whome it may concerne.

Theis are to require you forthwith on sight hereof to forbear to prejudice the Lady Anne Thornton relict of St Nicholas Thornton of Witton Castle in the County of Northumberland Knt. either by offering any violence to her person or any of her family, or by taking away any of her horses Cattle, or other Goods whatsoever without speciall order. And hereof you are not to fayle as you will answeare the contrary, Provided that shee yeild obedience to all orders and ordinances of Parliamt: & act nothing prejudicall to the State. Given under my hand the 17 day of Julye, 1650.

O. CRUMWELL.¹⁰

⁶ *The Kings Majesties Message To His Highnesse the Prince of Wales* (1648).

⁷ Offered in Sotheby's catalogue for March 20, 1940, item 676.

⁸ Offered in Sotheby's catalogue for May 4, 1910, item 53.

⁹ Cal. in *Inventaire des Autographes . . . de Benjamin Fillion* (1877), ser. 2, p. 61, item 244.

¹⁰ W. C. Trevelyan, "Thornton Papers," *Archæologia Æliana*, ser. 1, ii (1832), 94; cp. *Surtees Soc. Publ.*, cxi (1905), 360-1 note.

August 11, 1651

Whereas beside the p^riudice w^ch the said Lady Thornton received by the quar-
teringe of the Army in respect of Corne and grasse for horse-meate.¹¹ The foote
souldiers spoiled att y^e least Thirtie loades of Hay (*and Straw*)¹² (by estima'con)
w^ch they made use of to lay in theire Tents, I desire y^e same alsoe may bee Con-
sidered, and allowance made to the Lady and her Tenante respectively accordinge
to the Loss they have susteyned thereby.

O. CROMWELL.¹³

110. August: 1651.

July 5, 1652

Cromwell signed a pass authorizing Mrs. Mary Ronlos and her children to
go from London to Ireland.¹⁴

VOLUME III

[April], 1653

Certificate of Cromwell ordering that £3 be paid toward the relief of Chris-
tian Marks.¹⁵

[September], 1653

Cromwell directed to the court of St. Bartholomew's Hospital, London, a
letter recommending that William Bury be admitted guide at the Lock Spittle
in the place of Richard Eden, deceased.¹⁶

January 19, 1653-4

Writ of the Lord Protector calling John Maynard to the Bar.¹⁷

February 27, March 21, 1653-4

Warrants from the Protector to Uriah Babington, keeper of Greenwich
House and Park, to deliver to Gilbert Dawson 79 deer and the bark in his
custody.¹⁸

¹¹ This order is apparently appended to one of the same date signed by the
Quartermaster-General, John Moseley, to the effect that 300 horses of the officers of
9 regiments, 1000 horses belonging to the "Traine and baggage," 150 horses of the
life guard, and 1000 horses of the 2 regiments of Tomlinson and Hacker "were all
quartered for one night upon the grounds of Lady Thorne, att Nether Witton,
in the Parish of Halborne, in the Countie of Northumberland Tenant to Edward
Fenwick of Stanton Esq." Trevelyan, "Thornton Papers," *Archaeologia Aeliana*,
ser. 1, ii (1832), 95.

¹² Trevelyan adds a note that a "pen has been drawn across the words *and straw* in the original" (*ibid.*).

¹³ *Ibid.* Following this order is a list of the losses, to the total of £95/5/6,
signed by four individuals who "viewed and prized" the list, and "Indorsed, y^e
Generalls Order" (*ibid.*, pp. 95-6).

¹⁴ Offered by Anderson Galleries in *Catalogue* (no. 905) of the library of
Robert Hoe (Apr. 26, 1911), item 917.

¹⁵ *Somerset Quarter Sessions Records*, xxviii (1912), 204.

¹⁶ Norman Moore, *History of St. Bartholomew's Hospital* (1918), ii, 311.

¹⁷ *Parl. Hist.*, xxi, 6.

¹⁸ *Cal. S. P. Dom.* (1656-7), p. 44; cp. *ibid.* (1653-4), pp. 354-6.

March 18, 1653-4

Cromwell granted a patent for 14 years to William Potter for his invention of an engine to raise water to supply towns and drain mines.¹⁹

October 9, 1654

Cromwell "issued a commission for the repair of the Great Bridge at Cambridge directed to Sir Thomas Wyllis, Bart., the mayor for the time being, Talbot Pepys, Esq. Recorder, Dudley Pope, Roger Pepys, and John Robson, Esquires, together with all the aldermen by name."²⁰

July 9, 1655

Patent from Cromwell granting to Thomas Smithsby jr. the office of clerk of the Privy Seal.²¹

September 3, 1655

Cromwell's warrant appointing Widdrington Chancellor of County Palatine of Durham.²²

September 6, 1655

Charter to Eton.²³

October 13, 1655

On a petition from Mary Moloy, "a distressed Widow" whose husband "was plundered of his Estate to the value of £600 by Sir Francis Ottley," Cromwell made the following reference:

We do refer the Consideration of this Petitiⁿ to Lieut. Collonell Mackworth Governour of Shrewsbury Authorising him to call the Heir of Sir Francis Ottley before him and to Examine the Matter Complained of in this Petitiⁿ and to Endeavour to compose the same if he can, or otherwise report unto us the true state hereof.

OLIVER P.²⁴

October 13th, 1655

To my worthy friends the Vicechancellor and venerable house of Convocation in Oxon.

Gentlemen,

Having received a good character of Mr. John Windebanke, Mr. of Arts, and being desired by a worthy friend to recommend him unto you, I shall make it my request that he may receive your favour of a degree of Dr. of Physick from your University. I am certainly informed that he hath been a student in your University this twenty years and hath since his leaving it spent some time in foreign parts, and that he hath been a practitioner for some years in that science with much credit and reputation; so that he hath already gained the repute of one worthy for his knowledge and abilities upon whom you may con-

¹⁹ *Ibid.* (1655-6), p. 191.

²⁰ Cooper, *Annals of Cambridge*, iii, 463.

²¹ *Cal. S. P. Dom.* (1656-7), p. 263.

²² Henfrey, *Numis. Crom.*, p. 208, from *Addl. Ayscough MSS.* 4184.

²³ Wyon, *Great Seals of England* (1888), p. 95.

²⁴ *Shrops. Arch. & Nat. Hist. Soc. Trans.*, ser. 4, i (1911), 273.

fer this title. And in regard his place of practice and residence is so far distant from the University, I shall desire he may have his Grace granted Simpliciter without any further occasion of trouble or attendance to him. I can assure you I do very much avoid occasions of trouble in requests of this extraordinary nature, be pleased therefore to excuse this given to you at present by

Gentlemen

Your assured friend and chancellor to serve you,
O. CROMWELL.²⁵

Safe-conduct

Oliver by the grace of God, Protector of the Commonwealth of England, Scotland and Ireland, to All and Each of Our Admirals, Sea-Commanders, Generals, Prefects, Tribunes, Captains, and also to all and each of Our Envoys, Resident Deputies, Public Ministers and whatsoever others are concerned by these presents we proclaim:

Inasmuch as the very exalted Prince and Lord in Livonia, Duke of Courland and Semigallia, in order that he may make provision for his peoples and dependents and those subject to him concerning their quiet and tranquility, and seek measures of protection against the developing disasters of future fears that are to be apprehended. And inasmuch as he has asked us through the honorable man, John Bretislaw Mislik, baron of Hirstorf, his delegate to Us, that we should grant to him our Guarantee to the fullest extent from the disadvantages of all warfare; We therefore, influenced by the justice and fairness of this desire of his, have freely granted this requested Guarantee, exemption and Neutrality.

We decree and will therefore that all and each of those waging wars under the standard of our Commonwealth, of whatever condition and rank they are, permit the aforesaid Prince and Lord James in Livonia Duke of Courland and Semigallia, along with his Commanders, territorials and people of his Dominions, and others dependent on them, and all subjects and inhabitants, to live and act free from molestation, and the inhabitants and subjects to exercise their commercial privileges freely on land and sea and hold them everywhere as Friends, and grant in every way that they use and enjoy this Our Guarantee without dangers and inconveniences, under penalty of Our displeasure.

Furthermore, we command all and each of Our Envoys in Residence and Deputies and other public Ministers, already appointed or to be appointed in the future, that on every just and honorable occasion that is offered they assist, when requested, with all their resources with sound and appropriate counsels the aforesaid Prince and Lord James in Livonia, Duke of Courland and Semigallia and his associates in preserving this Guarantee, and support him with their authority and wisdom.

Finally we command that this our Decree, when produced in the Attested copies along with the letters of Safe-conduct of the aforementioned Prince

²⁵ MSS Oxford Univ. Archives, *Acts of Convocation, 1647-1659*, p. 241. No date but read in Convocation, April 5, 1654. This letter was probably written several months before it was read, because Cromwell would not have signed himself "O. Cromwell" in April, 1654.

granted to his subjects, may enjoy equal Authority and respect with the auto-graph and original. For the respect and authority of all and each of these [things commanded] we have signed these Our letters patent with our own hand and have caused to be affixed to them the Great Seal of England.

Given from our court in Westminster 28th day of August in the Year of Our Lord 1654.

OLIVER P.²⁶

²⁶ Trans. of Latin in Mattiesen, *Die Kolonial- und Überseepolitik Herzog Jakobs von Kurland* (1939), pp. 395-96.

ADDITIONS AND CORRECTIONS

VOLUME I

March 4, 1644 (page 276)

Dr. William King tells the following anecdote of his grandfather, Sir William Smyth, governor of Hillesden House when it was taken by Cromwell. As soon as the officers who had capitulated "were without the gate, one of Cromwell's soldiers snatched off Sir William Smyth's hat. He immediately complained to Cromwell of the fellow's insolence, and breach of the capitulation. 'Sir,' says Cromwell, 'if you can point out the man, or I can discover him, I promise you he shall not go unpunished. In the mean time (taking off a new beaver, which he had on his head) be pleased to accept of this hat instead of your own.'"¹

(page 331, note 336)

The money was paid to Watson in accordance with an order to that effect signed by Cromwell.²

VOLUME II

July 25, 1649 (page 98).

Dinner was provided in the house of William Bayly, then Portreeve of Swansea, by him and the aldermen for Cromwell "lord of this towne" and his followers,³ more probably on the 30th.

August 24, 1649 (page 113).

The £1983/17/4 was for 28 days' pay of the train of artillery.⁴

Cromwell appointed Sir Richard Clifton to be captain of a company.⁵

November, 1650

Cromwell signed a "warrant to pay Dr. Henry Jones, late Bishop of Clogher, as scoutmaster-general, £454 8s. for self, 2 agents and 20 men for 142 days, 24 June to 12 Nov."⁶

March 20, 1650-1 (page 398, note 65)

The commission appointed Ashfield a "colonell of a legion of foote . . . raised and to be raised . . . for the service of the Commonwealth."⁷

¹ Wm. King, *Political and Literary Anecdotes of His Own Times* (L., 1818), pp. 62-63. The editor adds a note that the siege of Hillesden House is not mentioned by Clarendon; "the noble historian and Sir W. Smyth were not good friends."

² *Lond. Soc. Antiq. Proc.*, ii, ii (1862), 127.

³ Dillwyn, *Swansea*, pp. 29-30.

⁴ Sotheby's catalogue for Nov. 16, 1908, item 74.

⁵ Offered in Sotheby's catalogue for March 20, 1940, item 640; cp. *Clarke Papers*, iv, 199.

⁶ *Exchequer Papers*, cited by Firth, *Cromwell's Army*, p. 65n.

⁷ *Catalogue of the William F. Gable Collection*, pt. 3 (Feb. 13, 1924), item 285.

October 8, 1651 (page 484 and note 71).

The instructions to Joseph Hawkesworth, governor of Warwick Castle, call for reducing the garrison by 40 men in addition to 1 ensign, 1 sergeant, 1 corporal, 2 drummers and "gentlemen" of arms, 1 gunner's mate, and the marshall.⁸

October 27, 1651 (page 494, note 103)

The warrant ordered payment to Whalley as Judge Advocate to the Army.⁹

May 8, 1652

Cromwell was elected High Steward of Cambridge in place of John Lord Finch.¹⁰

March 30-31, 1653

Deane apparently had interviews with Cromwell in London.¹¹

⁸ Photostat in *Warwick County Records*, iii (1937), facing p. xxii; cal. in *Birmingham Arch. Soc. Trans.*, liv (1932), 19, 36.

⁹ Catalogue of the William F. Gable Collection, pt. 4 (Mar. 11, 1924), item 657.

¹⁰ C. H. Cooper, *Annals of Cambridge*, iii, 450.

¹¹ J. B. Deane makes this inference from a letter of Richard Deane to Monk and Penn, Apr. 1 (*Life of Richard Deane*, p. 716).

